

TOWN OF  
AMESBURY MASSACHUSETTS

SUBDIVISION RULES AND  
REGULATIONS

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**REVISED**  
**June 6, 2006**

# Amesbury

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PLANNING BOARD  
Tel: (978) 388-8110  
Fax: (978)388-6727

Town Hall  
62 Friend Street  
Amesbury, MA 01913

## *MEMORANDUM*

**Date:** May 24, 2004  
**Subject:** PLANNING BOARD FILING FEES

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Listed below is the Filing Fee schedule used by the Amesbury Planning Board:

|   |  |
|---|--|
| Sign Application  | \$75.00  |
| Site Plan   | \$500.00 + \$0.15 per square foot gross floor area   |
| Special Permit  | \$500.00 + \$100 per lot (Cluster, CAD) or \$50 per dwelling unit (multi-family)   |
| ANR Plans (Form A's)  | \$100.00 + \$100 for each new lot created  |
| Preliminary Subdivision Plans                                   | \$250.00 + \$125.00 per lot or \$1,000 whichever is greater  |
| Definitive Subdivision Plans                                    | \$1,250.00 + \$325 per lot or \$3,000 whichever is greater   |
| Definitive Subdivision Plans (if no Preliminary Plan submitted) | \$1,500.00 + \$625.00 per lot or \$5,000 whichever is greater  |
| Modifications   |  |
| Major (Form B & C)  | \$500.00 + \$100 per affected lot  |
| Other   | \$100.00 (not limited to but including minor modification, Form B, C, Special Permit, Determination of Change, Lot Line Adjustments) plus any costs associated with legal notices. |
| PreApplication Conference                                       | \$50.00  |

Please note: The applicant shall bear costs of legal notice advertisement and mailings.

Amesbury, Massachusetts (Essex County)

Recorder of Land Court, Boston, MA  
Subdivision Control Law docket as of May 15, 1996.

Asterisk (\*) indicates most recent filing of Subdivision Amendments.

| Filing Date | Paper | Amesbury  |
|-------------|-------|---|
| 02/02/54    | 1     | Planning Board Statement Subdivision Control                      |
| 02/03/54    | 2     | Vote of Town re: Planning Board                                   |
| 02/03/54    | 3     | Rules and Regulations   |
| 09/14/54    | 4     | Authority to Sign - John C. Fuller, Secretary                     |
| 02/26/59    | 5     | Authority to Sign - "Approval Not Required"<br>the Clerk          |
| 07/06/64    | 6     | Rules and Regulations   |
| 05/08/67    | 7     | Authority to Sign "Approval Not Required"<br>Allen F. Rice        |
| 10/03/68    | 8     | Authority to Sign "Approval Not Required"<br>Robert A. Pare       |
| 05/23/79    | 9     | Rules and Regulations   |
| 02/26/86    | 10    | Planning Board Members  |
| 10/13/87    | 11    | Amendments to Rules and Regulations                               |
| 04/26/89    | 12    | Rules & Regulations (Rules and Regulations revised April 4, 1989) |
| 05/06/01    | 13    | Filing Fee increase   |
| 11/05/01    | 14    | Off site inspection fees  |
| 03/05/02    | 15    | Design Standards - Common Access Driveway                         |
| 03/05/02    | 16    | Performance Guarantee for Erosion & Sedimentation Control         |
| 03/05/02    | 17*   | Initial Review fee and Inspection fee increase                    |
| 08/06/02    | 18    | Miscellaneous edits   |
| 55/24/04    | 19    | Fee increase  |
| 06/06/06    | 20    | Review Fee increase   |

# Amesbury

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Planning Board  
Tel: (978) 388-8110  
Fax (978) 388-6727

Town Hall  
62 Friend Street  
Amesbury, MA 01913-2884

**TOWN OF AMESBURY FEE SCHEDULE  
PLANNING BOARD REGULATIONS  
M.G.L. Chapter 44, Section 53G  
Adopted as amended 6/6/06**

1. When reviewing an application for permit or approval, the Planning Board may determine that the assistance of outside consultants is warranted due to a proposed project's complexity or potential local or regional impacts. The Board may require that in addition to a general filing fee, applicants pay a special review fee and inspection fee consisting of reasonable costs incurred by the Board for the employment of outside consultative services by the public or private entity engaged by the Board to assist in the review and inspection of an application.
2. In hiring outside public or private consultants the Board may engage engineers, planners, traffic specialists, lawyers, urban designers, or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, bylaws, and regulations.
3. Funds received by the Board pursuant to this Section shall be deposited with the municipal treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Board without further appropriation. Expenditures from this special account shall be made only in connection with the review and inspection of a specific project or projects for which a fee has been or will be collected from the applicant. Failure of an applicant to pay this fee shall be grounds for denial of the application or permit.
4. Review and inspection fees may only be spent for services rendered in connection with the specific project from which they were collected. Accrued interest may also be spent for this purpose. At the completion of the Board's review and inspection of a project, any excess amount in the account, including interest, attributable to a specific project, shall be repaid to the applicant or the applicant's successor in interest. A final report of said account shall be made available to the applicant or the applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an applicant's successor interest shall provide the Board with documentation establishing such succession in interest.
5. Any applicant may take an administrative appeal from the selection of the outside public or private consultant to the Mayor. The grounds of such an appeal shall be limited to claims that the public or private consultant selected has a conflict of interest or does not possess the minimum required qualifications. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue or a related field. The required time limit for action upon an application by the Board shall be extended by the duration of the administrative appeal. In the event that no

decision is made by the Mayor in one month following the filing of the appeal, the selection made by the Planning Board shall stand.

6. For the purpose of this regulation, "LOT" shall mean all lots shown on submitted plan, including lots previously approved as ANR lots.

**1. REVIEW FEES**

In addition to the specific review fees for various permits as listed below, a base fee of \$4,000 shall be submitted.

**A. Initial Review Fees of Subdivisions (revised 2006)**

|                   |                                    |
|-------------------|------------------------------------|
| 1-4 lots          | \$2,800.00                         |
| 5-10 lots         | \$2,800.00 + \$300 per lot over 4  |
| 11-18 lots        | \$4,600.00 + \$255 per lot over 10 |
| More than 18 lots | \$6,640.00 + \$100 per lot over 18 |

**B. Initial Review Fees of Site Plans/Special Permits**

|                      |                               |
|----------------------|-------------------------------|
| 10,000 sf building   | \$2,800.00                    |
| 10,000 to 40,000 sf  | \$2,800.00 + \$70 per 1000 sf |
| 40,000 to 100,000 sf | \$5,600.00 + \$35 per 1000 sf |
| More than 100,000 sf | \$9,000.00 + \$10 per 1000 sf |

**C. Review of Other Special Uses/Specific                      \$3,500.00**

**D. Initial Review Fees of Multifamily**

|                    |                                     |
|--------------------|-------------------------------------|
| 1-10 units         | \$3,500.00                          |
| 11-25 units        | \$3,500 + \$150 per unit over 10    |
| 26-50 units        | \$5,750.00 + \$100 per unit over 25 |
| More than 50 units | \$8,250.00 + \$25 per unit over 50  |

The developer is required to pay the above fees to the Town of Amesbury at the time of submittal of plans. Should there be unusual conditions relative to a specific project which would require a higher fee the Planning Board would advise the developer as soon as possible after the submittal.

It should be pointed out that the above fee structure account is for an initial plan review, with allowances made for meeting attendance and subsequent minor plan revisions. Review of substantial revisions and/or supplemental materials would likely require additional fees (beyond that indicated above), the amount of which would be dependent upon the nature of the revision and/or quantity of supplemental material to be reviewed.

**2. Inspection Fees (revised 2006)**

Associated with construction observation of subdivision roadways and other sites.

|                       |   |
|-----------------------|---|
| Minimum fee           | \$10,000.00                                   |
| 500-1000 ft. roadway  | \$18 per ft. roadway                          |
| Over 1000 ft. roadway | \$18,000 + \$12 per ft. roadway over 1000 ft. |

The developer is required to pay the above fee before the approved plan is signed by the Planning Board (within 21 days of the vote of approval) Should there be unusual conditions relative to a specific project which would require a higher fee, the Planning Board would advise the developer as soon as possible after the approval. The Planning Board requires that a meeting between a member of the Board, the Board's engineer, and the developer and/or contractor be held on site before work begins.

### **3. Off-Site Inspection Fees (11/5/01)**

If an approved Definitive Subdivision Plan requires the construction of new infrastructure or the modification of existing infrastructure that extends beyond the ownership limits of the development (e.g. off-site improvements), the Planning Board may at their discretion (or at the request of the Director of Public Works), engage the services of a qualified consultant to inspect the construction of the improvements. Examples of off-site improvements would include, but are not necessarily limited to:

- Extensions or improvements to sewer or water main piping systems.

- Construction or modification to off-site pumping facilities.

- Extensions or improvements to existing drainage systems.

- Improvements to existing streets such as reconstruction, widening, repaving, or signalization.

- Extensions or connections of sidewalks.

Fees for off-site inspections shall be in addition to the 'Inspection Fees' listed above for subdivisions, and will be established on a case by case basis, depending upon the type of work involved and the level of inspection determined to be warranted by the Planning Board. Funding for off-site inspections shall be as provided for herein and in accordance with MGL Ch 44 Sec 53G.

### **4. Performance Guarantee for Erosion and Sedimentation Control (3/5/02)**

As provided for in Section 6.05 of the Amesbury Subdivision Rules and Regulations, the Planning Board may require a performance guarantee to insure proper implementation and maintenance of the Erosion and Sedimentation Control Plan. The value of the performance bond shall be as follows:

\$0.25 x the area of land to be disturbed (as shown on the approved Definitive Plan). The Planning Board may, at their reasonable discretion, modify the amount of the performance guarantee in response to particular site conditions or constraints.

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- Form P: Certified list of abutters

# Rules and Regulations Governing the Subdivision of Land in Amesbury, Massachusetts

**Revised: June 6, 2006**

## **SECTION 1 GENERAL PROVISIONS**

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### **1.01 TITLE**

These Rules and Regulations shall be known as the Rules and Regulations Governing the Subdivision of Land in the Town of Amesbury and may be cited as Amesbury Subdivision Rules and Regulations.

### **1.02 AUTHORITY**

These Rules and Regulations are adopted pursuant to the statutory rule making authority of section 81Q of chapter 41 of the General Laws for the purposes set forth in section 1.03 of these Rules and Regulations. The General Laws of Massachusetts shall be cited in these regulations as MGL c \_\_\_\_ § \_\_\_\_.

### **1.03 PURPOSE**

These Subdivision regulations have been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of Amesbury by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions, and in proper cases, parks and open areas. The powers of the Planning Board under the Subdivision Control Law and these regulations shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage, underground utility service, fire, police, and other requirements where necessary in a subdivision; for protecting, promoting and enhancing the natural beauty and amenities of Amesbury; and for coordinating the ways in a subdivision with each other and with the public ways in the Town and with the ways in neighboring subdivisions. In fulfilling the purpose of this law, the Planning Board shall have the power to review the impact of the proposed land division and road layout on the Town of Amesbury as well as abutting communities. Further, the Planning Board shall have the power to negotiate with applicants filing under this statute, utilizing the provisions of MGL c 41 § 81R to ensure the protection of the Town's natural and built environment.

### **1.04 CONSTRUCTION**

These Rules and Regulations shall be construed and applied to promote the purposes set forth in Section 1.03 of these Rules and Regulations.

### **1.05 WAIVERS OF REQUIREMENTS**

All requests for waivers of these Rules and Regulations must be submitted in writing by the applicant to the Board. The applicant must demonstrate to the Board that the waiver will not be detrimental to the interests of these regulations. Waiver may be granted where another method achieving the same purpose is proposed. Any such waiver shall be upon vote of a majority of the Board.

### **1.06 EFFECTIVE DATE**

These Rules and Regulations are to be effective upon their passage and from that time shall supersede all prior rules and regulations governing the subdivision of land in the Town of Amesbury.

## SECTION 2 DEFINITIONS

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**2.01** Unless a contrary intention or definition is clearly expressed herein, terms and words defined in the Subdivision Control Law, MGL c 41 §§ 81K-81GG, shall have the meaning given there for purposes of these Rules and Regulations.

**2.02** The following terms and words shall have the meaning defined herein:

|  |   |
|--|---|
| <b>ABUTTER</b>                                     | An owner of land as listed in the most recent real property tax list, certified by the Board of Assessors, whose real property is within 300 feet of the boundaries of a proposed subdivision of land as shown on the definitive plan.  |
| <b>APPLICANT</b>                                   | A person, corporation, real estate trust, or other legal entity who/which makes application to this Board for approval of a plan for subdivision of land pursuant to MGL c 41 or who/which makes application to this Board for determination that a plan of land does not require approval under the Subdivision Control law, MGL c 41. |
| <b>BIKEWAY</b>                                     | A way designed to be used principally by a bicycle.   |
| <b>BOARD</b>                                       | The Planning Board of the Town of Amesbury.   |
| <b>BUFFER STRIP</b>                                | A landscaped strip, at least six (6) feet in width located within the right-of-way between the curb line and the sidewalk. (8/6/02)   |
| <b>BUILDING</b>                                    | A combination of any materials, whether portable or fixed, having a roof, and enclosed within exterior walls or fire walls, built to for a structure for the shelter of persons, animals, or property. For the purposes of this definition, roof shall include an awning or any similar covering, whether or not permanent in nature.   |
| <b>DEFINITIVE PLAN</b>                             | A proposed plan for subdivision of land submitted pursuant to MGL c 41 and Section 6 et seq. of these Rules and Regulations for approval of the Board.  |
| <b>DWELLING UNIT</b>                               | One or more living or sleeping rooms arranged for the use of one or more individuals living as a single housekeeping unit, with cooking, living, sanitary, and sleeping facilities.   |
| <b>EASEMENT</b>                                    | A right acquired by public authority or other person to use or control property for a utility or other designated public purpose.   |
| <b>ENGINEER</b>                                    | A person who is registered and/or lawfully permitted to practice professional engineering in the Commonwealth of Massachusetts.   |
| <b>ENVIRONMENTAL AND COMMUNITY IMPACT ANALYSIS</b> | A comprehensive, technical analysis and report by the Applicant which is required to be submitted to the Board pursuant to Section 6.04 of these Rules and Regulations.   |
| <b>GENERAL LAWS</b>                                | The General Laws of the Commonwealth of Massachusetts, Tercentenary Edition of 1931, together with all amending and related General Statutes subsequently enacted. The General Laws of Massachusetts shall be cited in these regulations as MGL c __ § ____.  |
| <b>LAND SURVEYOR</b>                               | A person who is registered and/or lawfully permitted to practice land surveying in the Commonwealth of Massachusetts.   |
| <b>LOT</b>   | An area of land in one ownership, with definite boundaries used, or available for use, as the site of one or more buildings.  |
| <b>MDPW</b>  | The Department of Public Works, Commonwealth of Massachusetts.  |
| <b>PERSON</b>                                      | An individual, or two or more individuals or a group or association of individuals, a partnership, trust or corporation, or other legal entity having common or undivided interests in a tract of land.   |
| <b>PRELIMINARY PLAN</b>                            | A proposed plan for subdivision of land submitted pursuant to MGL c 41 and Section 5 and those following of these Rules and Regulations for the information of and analysis by the Board and other regulatory agencies of the Town of Amesbury.   |

|                            |  |
|----------------------------|--|
| <b>SECURITY</b>            | Means by which the Planning Board requires that the construction of ways and the installation of municipal services is secured by one, or in part by one and in part by another, of the methods described in MGL c 41 § 81U.   |
| <b>SIDEWALK</b>            | A concrete area designed for use by pedestrians of at least four (4) feet in width, within the right-of-way of a street normally parallel, or roughly parallel, to the street and running continuously through existing and proposed driveways on both sides of the street. (8/6/02)   |
| <b>STREET</b>              | The right-of-way or taking which includes the traveled way, curbing, grass strips, sidewalks, drainage facilities, and utilities.  |
| <b>MINOR STREET</b>        | A street so designed by the Board. A street which receives and distributes traffic from less than 100 dwelling units, up to 3 acres of commercial land, up to 15 acres of industrial land, or a proportionate combination of the above.  |
| <b>MAJOR STREET</b>        | A street so designated by the Board. A street which receives traffic from more than 100 dwelling units, over 3 acres of commercial land, over 70 acres of industrial land, or proportionate combination of the above.  |
| <b>SUBDIVISION</b>         | The division of a tract of land into two or more lots and shall include resubdivision, and when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law if, at the time when it is made, every lot within the tract so divided has frontage on (a) a public way or a way which the Clerk of the Town, after consultation with the Director of Public Works, certifies is maintained and used as a public way, (b) a way shown on a plan heretofore approved and endorsed in accordance with the Subdivision Control Law, or (c) a way in existence when the Subdivision Control Law became effective in the Town. The Planning Board shall require that the examples noted in (a), (b) and (c) above all have, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. Conveyances or other instruments adding to, taking away from, or changing the size and shape of, lots in such a manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two or more buildings were standing when the Subdivision Control Law went into effect in the Town in which the land lies into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision. |
| <b>SUBDIVISION CONTROL</b> | The lawful authority of the Board pursuant to the Constitution of the Commonwealth of Massachusetts, MGL c 41, these Rules and Regulations, and other statutes, ordinances, and bylaws to regulate the subdivision of land in the Town of Amesbury.  |
| <b>TRACT</b>               | A lot, piece or parcel of land.  |
| <b>UTILITIES</b>           | Gas, electric, water, drainage, cable television, telephone, sewer, steam distribution and related services.   |
| <b>WETLANDS</b>            | Any lands or waters subject to MGL c 131 § 40, the State Wetland Regulation, and any local wetland controls.   |

**SECTION 3                      GENERAL**

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**3.01      BASIC REQUIREMENTS**

No person shall make a subdivision within the meaning of the Subdivision Control law of any land within the Town, or proceed with the improvements of sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a plan has been endorsed "Planning Board Approval Not Required" or a Definitive Plan of such subdivision has been submitted to and approved by the Board (MGL c 41 § 810).

**3.02      LIMITATION OF ONE BUILDING ON ANY LOT**

Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision, without the consent of the Board, and such consent may be made conditional upon the providing of adequate ways furnishing access to each site for such building, in the same manner as otherwise required for lots within a subdivision. (MGL c 41 § 81Q).

**3.03      EFFECT OF PRIOR RECORDING**

The recording of a plan of subdivision within the Town in the Essex South District Registry of Deeds prior to the effective date of the Subdivision Control Law in the Town of Amesbury shall not exempt the land within such subdivision from the application and operation of these Rules and Regulations except as specifically exempted by MGL c 41 § 81FF and the Amesbury Zoning Bylaws.

**3.04      REFERENCE**

For matters not covered by these rules and regulations reference is made to MGL c 41 § 81K through 81GG.

**3.05      SEVERABILITY**

If any part or portions of these rules and regulations should be adjudicated as invalid, the adjudication shall apply only to the material so adjudged, and the remaining rules and regulations shall be deemed valid and of full force and effect. (MGL c 41 § 81GG)

**3.06      WATER SUPPLY**

No Definitive Plan shall be approved by the Planning Board unless evidence satisfactory to the Board is presented that adequate provision will be made for supply of water for the subdivision and sufficient for fire protection demands.

**3.07      FEES**

All expenses for advertising, mailing notices, engineering, and professional planning review as deemed necessary by the Planning Board, and plans, construction, inspection, recording and filing of documents and all other expenses in connection with a subdivision shall be borne by the applicant. Advertising fees shall be billed directly to the applicant.

| <u>SUBMISSION</u>             | <u>FEE</u>   |
|-------------------------------|--|
| ANR (MGL c 41 § 81P)          | \$100 + \$100 for each new lot created   |
| PRELIMINARY PLAN              | \$250 + \$125 per lot or \$1,000 whichever is greater  |
| DEFINITIVE PLAN               | \$1,250 + \$325 per lot or \$3,000 whichever is greater  |
| Following preliminary plan    |  |
| DEFINITIVE PLAN               | \$1,500 + \$625/lot or \$5,000 whichever is greater  |
| No preliminary plan was filed |  |
| MODIFICATIONS                 |  |
| Major (Form B & C)            | \$500 + \$100 per affected lot   |
| Other                         | \$100 (not limited to but including minor modification, Form B, Form C, Special Permit, Determination of Change, Lot Line Adjustments) plus any costs associated with legal notices. |
| PRE APPLICATION CONFERENCE    | \$50   |

Please note: The applicant shall bear costs of legal notice advertisement and mailings.

INSPECTION FEES                      See Section 8.02 (B)

**3.08 TIME PERIODS**

| <b><u>SUBMISSION</u></b>                     | <b><u>DECISION</u></b> | <b><u>APPEAL</u></b> |
|--|------------------------|----------------------|
| ANR (MGL c 41 § 81P)                         | within 21 days         | within 20 days       |
| PRELIMINARY PLAN                             | within 45 days         | within 20 days       |
| DEFINITIVE PLAN (following a prelim. plan)   | within 90 days         | within 20 days       |
| DEFINITIVE PLAN (not following a prel. plan) | within 135 days        | within 20 days       |

**SECTION 4 PLAN BELIEVED NOT TO REQUIRE APPROVAL (MGL CH 41 §81P)**

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**4.01 SUBMISSION**

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that the plan does not require approval under the Subdivision Control Law, may submit the original and three copies of the plan with Application Form A, along with a submittal fee of \$100.00 per lot to the Planning Board, accompanied by the necessary evidence to show that the plan does not require approval.

The plan shall be submitted by delivery to the Planning Board office five (5) days prior to a meeting of the Board, or by certified mail, postage prepaid, to the Board. In addition, written notice of such submission using Application Form A shall be given by the applicant to the Town Clerk. The Town Clerk shall, if requested, give a written receipt to the person who delivered such notice.

**4.02 APPROVAL-NOT-REQUIRED PLAN CONTENTS**

A plan not requiring approval shall be prepared by a registered land surveyor and shall be clearly and legibly drawn at a scale of 1" = 40' to the requirements of the Recording Rules adopted by Registry of Deeds in Massachusetts. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire plan. A plan not requiring approval shall contain the following information:

1. Property boundaries, north arrow, date and scale and locus map not greater than 1" - 2000".
2. Name of the record owner, the registered land surveyor's name and stamp, and the Essex Registry of deeds book and page reference of conveyance to record owner.
3. Area of each lot.
4. Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, monuments or references necessary to establish these lines on the ground.
5. Where practical, boundary lines of contiguous and adjacent land and the names of the owner thereof, as determined from the most recent tax list.
6. Location of all permanent monuments properly identified.
7. Location, names and present widths of non-public (private) ways abutting the property.
8. Suitable space to record the endorsement of the Board that Approval is not required and the signatures of the members of the Board.
9. Zoning classification and location of any Zoning District Boundaries that may lie within the locus of the plan.
10. In the case of the creation of a new lot, the remaining land area and frontage of the land in the ownership of the applicant shall be shown.
11. Location of all existing building, including setback and side and rear yard designations.
12. Label all parcels of land which are not intended for the purpose of building as "Not a Building Lot."

## **SECTION 5 PRELIMINARY SUBDIVISION PLANS**

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### **5.01 SUBMISSION**

A preliminary plan of any proposed subdivision should be submitted to the Planning Board and to the Board of Health for the tentative approval, modification or disapproval by each Board. Thereafter, the Applicant shall file by delivery or by certified mail, a notice with the Town Clerk stating the date of submission of the plan and accompanied by a receipted copy of the application form. If notice is given by delivery, the town clerk shall, if requested, give written receipt therefore.

Submission of Preliminary Subdivision plans are required for all nonresidential subdivisions and is strongly advised for all residential subdivisions. Three (3) copies of Form B (see Appendix) shall be submitted and accompanied by the original and ten (10) copies of the preliminary plan, along with a fee of \$1,000.00 base fee plus \$250.00 per lot. All other expenses such as advertising, recording and filing shall be borne by the applicant.

### **5.02 PRELIMINARY PLAN CONTENT**

The preliminary plan shall be prepared by an engineer and surveyor and shall be clearly and legibly drawn at a scale of 1" = 40' and shall show clearly the following:

1. Subdivision name, boundaries, north point, date, scale, legend and title "Preliminary Plan."
2. Names and addresses of the record owner and the Applicant and the name or names of the engineer and/or surveyor and their registration stamp.
3. Names and addresses of all abutters as determined from the most recent tax list and such others to whom notices are to be sent.
4. Existing and proposed lines of streets, easements, and any public areas within the subdivision, in a general manner.
5. The proposed system of drainage, including the location of all swamps, marches and lowland, water bodies, streams, open drains and ditches, natural or man-made, and flowage rights, public and private, adjacent to (and to be affected by the drainage from the Subdivision) or within the proposed subdivision in a general manner.
6. A general description of the type of sewage disposal and water distribution system.
7. Approximate boundary lines of proposed lots with approximate areas and dimensions.
8. Names, approximate locations and widths of adjacent streets.
9. The existing topography of the land at two foot (2') intervals based on a field survey and referenced to United States Geodetic Survey (U.S.G.S.) datum. Existing topography is to be indicated by dashed lines with elevations shown.
10. The proposed topography of the land at two foot (2') intervals. The proposed topography to be indicated by solid lines with proposed elevations shown enclosed in blocks.
11. Other existing site features (regardless of proposed construction) including water bodies, wetlands, buildings, stone walls, rock outcroppings, and trees twelve inches (12") in diameter or the perimeter of heavily wooded areas.
12. Zoning classification of the area and any Zoning District boundaries that may lie within the locus of the plan.
13. If the Preliminary Plan does not include all of the contiguous land owned by the applicant in the area, a plan, in a general manner, should be submitted of the overall proposed development. If the developer does not agree to provide future development plans to the Board, the Board shall assume that the remaining land will be developed to the maximum amount allowed under Zoning.
14. Soil association types of the locus based on U.S. Soil Conservation Service Soils Mapping of the Town of Amesbury, if available.
15. Locus plan at an appropriate scale sufficient to locate the subdivision in the Town.
16. The required submittal fees (see §3.07)

### **5.03 APPROVAL OR DISAPPROVAL**

The Board and the Board of Health shall act upon the preliminary plan and its accompanying materials in accordance with MGL c 41. Approval, if given, does not constitute approval of a subdivision, but does facilitate the procedure in securing approval of the definitive plan.

Any plan submitted by the Applicant to the Board in advance of the definitive plan which does not conform to the requirements hereof pertaining to a preliminary plan shall not be considered to be a preliminary plan, nor shall such plan afford protection under MGL c 41.

## SECTION 6 DEFINITIVE SUBDIVISION PLANS

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### 6.01 APPLICATION PROCEDURE

Any person who desires approval of a Definitive Plan of a subdivision shall submit ten (10) copies of the following:

1. Submit to the Planning Board the following, with the drawings consolidated onto a shingle sheet or on separate sheets:
  - a. Copy of the Definitive Plan, dark line on white background. The original drawing of the Definitive Plan will only be needed if and when signing of the plan takes place.
  - b. Copy of a locus plan of the subdivision at 1" = 1000' showing proposed roads and their relation to the surrounding area, and the location of the zoning district or districts applicable to the site.
  - c. Copy of street plans and profiles of every proposed street prepared in accordance with Section 6.03.
  - d. Copy of street cross sections for each class of street within the subdivision, drawn at 1" = 40' horizontal scale and 1" = 4' vertical scale, showing location of all utilities and other elements within the street right-of-way, and typical cross sections of any altered drainage courses or off-street paths.
  - e. A properly executed application Form C. (See Appendix)
  - f. The required submittal fees. (See § 3.07)
  - g. Drainage calculations and sewage calculations (when appropriate) certified by the engineer who prepared them.
  - h. Evidence of ownership and lot closures (including roadway), language of any easements, covenants or deed restrictions applying or proposed to apply to the area being subdivided, rights and easements obtained for utilities or drainage outside of the subdivision, description of erosion control methods to be employed.
  - i. If necessary in order to determine compliance with the requirements or intent of this Regulation as specified in Section 1.03, the Board may require specialized engineering or analysis to be prepared at the expense of the applicant.
  - j. Copy of the Environmental and Community Impact Analysis, as may be required under Section 6.04.
  - k. A list of names and mailing addresses for all abutters as they appear on the most recent local tax list, including property owners on the opposite side of any streets abutting the subdivision.
  - l. Copy of the Construction Plan prepared in accordance with Section 6.05.
  - m. Copy of an Erosion and Sediment Control Plan prepared in accordance with Section 6.06.
  - n. Three copies of a landscaping plan prepared in accordance with Section 6.07.
  - o. The Board may require soil surveys and/or test pits or borings to be prepared at the applicant's expense to determine the suitability of the land for the proposed ways, drainage and utilities.
  - p. Within three weeks of the definitive plan's filing with the Planning Board, evidence that a sign, not to exceed sixteen (16) square feet (4'x4') nor smaller than nine (9) square feet (3'x3') has been erected on the parcel which is the subject of said subdivision plan, conspicuously located and visible from at least one public or private way. Said sign to read "This parcel is the subject of a Planning Board public hearing for Land Subdivision, File # \_\_\_\_." Said File # to be provided to the applicant by the Planning Board within two (2) weeks of the plans filing with the Planning Board and Amesbury Town Clerk.
  
2. Submit to the Town Clerk by delivery or registered or certified mail:
  - a. A notice stating the date of Definitive Plan Submission to the Planning Board; and
  - b. A copy of the completed application Form C.

3. The applicant will provide the Planning Board with sufficient materials so that the Planning Board Administrator can distribute to:

**Board of Health:**

- a. Two copies of the Definitive Plan;
- b. Two copies of the Street Plans and Profiles;
- c. A copy of the complete application Form C;
- d. Two copies of the soils test and environmental analysis, if any.

**Conservation Commission** one copy of each of the following:

- a. Definitive Plan
- b. Locus Plan
- c. Street Plans and Profiles
- d. Street Cross Sections
- e. Environmental Analyses, if necessary
- f. Construction Plan
- g. Erosion and Sediment Control Plan
- h. Landscaping Plan

**Fire Chief** one copy of each of the following:

- a. Definitive Plan
- b. Locus Plan
- c. Street Plans and Profiles
- d. Street Cross Sections
- e. Environmental Analysis, if required

**Police Chief** one copy of each of the following:

- a. Definitive Plan
- b. Locus Plan
- c. Environmental Analysis, if necessary

**Department of Public Works & Utility Director;** one copy of each of the following:

- a. Definitive Plan
- b. Locus Plan
- c. Street Plans and Profiles
- d. Street Cross Sections
- e. Environmental Analysis, if necessary
- f. Construction Plan
- g. Erosions and Sediment Control Plan
- h. Landscaping Plan
- i. Drainage Calculations
- j. Septic System Location & Suitability Plan

## 6.02 DEFINITIVE PLAN CONTENTS

The Definitive Plan shall be prepared by a Registered Land Surveyor and a Registered Professional Engineer, in a form acceptable to the District Registry of Deeds, as outlined in MGL c 36 § 13A. The definitive plan shall be prepared by an engineer and surveyor and shall be clearly and legibly drawn at a scale of 1" = 40' in black India ink upon sheets of tracing cloth or Mylar, 24" by 36", with minimum 3/4" border except on the left side which shall be a minimum of 1 1/2". If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The Definitive Subdivision Plan shall include the following:

1. Title Block, in lower right hand corner, containing the subdivision name, names and addresses of present record owner (s) and applicant, and name (s) of the engineer and surveyor who prepared the plan; certificates and seals of the engineer and surveyor; and a certificate that the classification and precision of all surveying conforms to the most recent MALSCE standards.
2. Boundaries and true and magnetic north point.

3. Names and locations of all abutters as determined from the most recent tax list, including property owners on the opposite side of any streets abutting the subdivision.
4. Zoning Classification of the land and Zoning district boundaries, including watershed protection, aquifer protection, and flood plain districts and any other overlay district boundaries.
5. Designation of the Flood Insurance Rate Zone as designated on the Federal Insurance Rate Maps prepared by the Federal Emergency Management Agency (FEMA) and any boundary lines of such flood zones affecting the locus.
6. Location of Base Flood elevation contour if encountered within 100 feet of subdivision.
7. Existing and proposed lines of streets, rights-of-way, easements, and any public or common areas within the subdivision.
8. Location, names, and present widths of streets bounding, approaching, or within reasonable proximity of the subdivision.
9. Boundary lines, areas in square feet, and dimensions of all proposed lots, with all lots designated numerically and in sequence.
10. Sufficient data to determine the exact location, direction and length of every street line, lot line and boundary line and sufficient survey data referred to existing permanent monuments such that these lines may be readily established on the ground. This shall include the lengths and bearings of plan and boundary lines of all subdivision lot lines including lot frontage on the streets, of the radii, tangents, and central angles of all curves in lot lines and street lines. All angle points, or intersections of tangents along the street lines, shall be shown, areas of lots with lot numbers and the area and frontage of public ways of adjoining lands of the applicant not included in the subdivision. The engineer or surveyor shall have the mathematical computations available to present to the Board for a matter of record. Closure computations for roadways and individual lots shall be provided on a separate sheet.
11. Detention calculations in a form approved by the Planning Board or its designated representative.
12. Location of natural waterways and water bodies within and adjacent to the subdivision.
13. Major site features, such as existing waterways, swamps and water bodies, natural drainage courses, stone walls, fences, buildings, rock ridges, rock outcroppings, trees over twelve (12) inches in diameter, and the perimeter of heavily wooded areas. Location and area of all wetlands located in or within 100 feet of the subdivision.
14. Soil types of the locus based on U.S. Soil Conservation Service Soils Mapping of the Town of Amesbury, if available, and results of required soil tests.
15. Monuments at all points of curvature and at changes in directions of street side lines or where designated by the Board.
16. Existing and proposed topography at a two (2) foot contour interval (may be shown on a separate sheet). The proposed topography will be indicated by solid lines with proposed elevations shown enclosed in blocks. The existing topography to be indicated by dashed lines with elevations shown and be accurately tied to and coordinated with a monument of some United States or State Agency survey system, such as the U.S. Geodetic Survey.
17. Size, material, type and location of existing and proposed storm drains, water mains, hydrants, underground utility lines and sewers including all appurtenances, within and adjacent to the subdivision
18. Existing and proposed drainage (in accordance with §7.10) including drainage areas inside the subdivision, areas outside the subdivision which drain into it, and the route, for all existing and proposed drainage discharging from the subdivision, to the primary receiving water course or other body of water. Drainage calculations shall be included with the definitive plan submittal. Cross sections of each drainage ditch or pond shall be included.
19. Size and location of existing and proposed water supply mains and their appurtenances (in accordance with §8.10), hydrants, sewer pipes and their appurtenances and/or sewer disposal systems (in accordance with §8.09), storm drains and their appurtenances (in accordance with §8.04), and easements pertinent thereto, and curbs and curb dimensions, including data on borings and soil test pits (in accordance with §6.07.B), and

methods of carrying water to the nearest watercourse or easements for drainage as needed, whether or not within the subdivision.

20. Suitable space, on each sheet of the definitive plan for endorsement by the Town Clerk and to record the action by the Planning Board, with spaces for annotating date of approval and the signatures of the members of the Board.
21. If surface water drains will discharge onto adjacent existing streets or onto adjacent properties not owned by the applicant, the applicant shall clearly indicate what course the discharge will take, and shall present to the Board evidence that such discharge is satisfactory to the owner of adjacent property and permitted by public or private ownership of adjacent street or property.

### **6.03 STREET PLANS AND PROFILES**

For each street there shall be a separate plan at 1" = 40', and profile at 1" = 40' horizontal, 1" = 4' vertical, elevations referenced to the USGS datum drawn to the requirements of the recording rules of the Registry of Deeds, showing the following data:

1. Subdivision name, owner's name and address, boundary lines of ways, north point, scale, date, annotation of revision dates and content, as on the Definitive Plan;
2. Name and address of person preparing the plan together with his Massachusetts registration certificate number as land surveyor and/or engineer;
3. The plan shall show bearings and distances, radii and arcs, central angle and tangent distances on all curves with stationing on the center line;
4. The profile shall show the existing ground on the center line in a dashed black line, the existing right side in a short dash line and the existing left side in a long dash line; the proposed centerline grade shall be shown in a heavy black line with the elevation shown at each 50 foot station, with the rate of grade indicated; on vertical curves, show beginning, end and 25 foot station;
5. The grading of all streets intersecting the proposed streets shall be shown in plan view for at least 100 feet each side of the intersection of street center line;
6. The proposed drainage, catch basins, manholes, pipes and any other drainage facilities shall be shown on both plan and profile;
7. Existing and proposed sidewalks, bikeways and walkways shall be shown with width and grade elevations;
8. All plans and profiles shall include a notation on each drawing that the same is one of an indicated total number of sheets;
9. Existing and proposed fire protection mechanisms (ie., Fire Retention Ponds, Hydrants, etc.).
10. Utilities (including sewers) where possible. All utility plans which will be developed by utility companies or which otherwise need approval shall be submitted to the Planning Board prior to installation of the utilities.
11. Such additional information as the Board may deem necessary.

### **6.04 ENVIRONMENTAL AND COMMUNITY IMPACT ANALYSIS**

1. Any submission of a residential subdivision creating over 15 lots, and all nonresidential subdivisions, shall be accompanied by eight (8) copies of an Environmental and Community Impact Analysis. The Planning Board may require portions of this Analysis be carried out for smaller subdivisions, if in their opinion, the sensitivity of the land warrants the investigation. The Environmental and Community Impact Analysis shall clearly and methodically assess the relationship of the proposed development to the natural and man-made environment of Amesbury. This report shall be prepared by an interdisciplinary team of professionals qualified, experienced, and, where applicable, licensed, in their fields. Such teams shall typically consist of Registered Professional (civil) Engineers, Traffic engineers, Architects, Landscape Architects, Land-Use Planners, Hydrogeologists, Hydrologists, Biologists and other environmental professionals. The applicant shall bear the cost of this analysis.
2. It is intended that the report be a guide to the Planning Board in its deliberations and will build into the board's decision-making process an appropriate and careful consideration of the environmental and community impacts of the proposed development.

3. For each of the components of the Environmental and Community Impact Analysis listed under paragraph 4 below, each of the following concerns must be separately addressed:
  - a.. The Environmental and Community Impacts of the Proposed Development - All primary and secondary environmental and community impacts, both beneficial and adverse, anticipated as a result of the proposed development. This section shall include all impacts resulting from the construction phase as well as those resulting from the projects completion.
  - b. Adverse Impacts which cannot be avoided should the proposed development be implemented - The report shall describe the kinds and magnitudes of adverse impacts which cannot be reduced in severity or which can be reduced in severity, but not eliminated.
  - c. Alternatives to the proposed development - The report shall develop, describe, and objectively weigh alternatives to the proposed development which are allowed by the Zoning Bylaw.
  - d. Measures to be used to minimize adverse environmental and community impacts - Corrective and protective measures which will be taken, as part of the project, to minimize adverse impacts shall be described in detail.
4. The Planning Board, as part of a review for a Preliminary Subdivision Plan, submitted in accordance with the requirements of Section 5, shall specify which of the following topics shall be evaluated, and the level of detail required for each topic, in the Environmental and Community Impact Analysis and submitted with the Definitive Plan. If no preliminary subdivision plan is submitted, the Environmental and Community Impact Analysis shall evaluate all of the following topics:
  - A. Natural Environment
    - i. Air and Noise Pollution - the impact of local air quality and noise from the proposed development (including traffic generated from the development), both during and after construction, shall be evaluated. For larger developments (over 30 dwelling units) the Planning Board may require detailed technical reports of such impacts.
    - ii. Water Pollution - The impact of storm water run-off on adjacent and downstream surface water bodies and subsurface ground water shall be evaluated. Dangers of flooding as a result of increased downstream runoff, especially peak runoff. The impact of the proposed project on water table levels shall also be analyzed.
    - iii. Land - Compatibility of the proposed development with existing soils; the impact of any soils or other materials to be removed from the site; and the potential dangers and impacts of erosion and sedimentation caused by the proposed development.
    - iv. Plants & Wildlife - The impact that the proposed project may have on wildlife habitat and on any rare or endangered plant or animal species known to exist in the area.
    - v. Water Supply - The average and peak daily demand and the impact of such demands on the ground water.
    - vi. Sewage Disposal - The average and peak daily disposal and the impact of such disposal on the ground water.
  - B. Man-Made Environment
    - i. Existing Neighborhood Land Use - Compatibility with adjacent or nearby existing land uses, or approved private development plans, if known, for adjacent or nearby land use changes to occur during the life of the proposed development. If not compatible, reasons therefor shall be detailed.
    - ii. Zoning - Compatibility of proposed development with the purposes of the Zoning Bylaw and the Zoning district.
  - C. Public Services
    - i. Schools - The expected impact on the school system both elementary and secondary levels, the number of students; projected school bus routing changes and projections of future school building needs resulting from the proposed project.

- ii. Police - The expected impact on police services, time and manpower needed to protect the proposed development and service improvements necessitated by the proposed development.
- iii. Fire - Expected fire protection needs; on-site fire fighting capabilities; on-site alarm or other warning devices; fire-flow water needs, source and delivery system and other needs shall be presented. Fire department service improvements necessitated as a result of the proposed project shall also be discussed.
- iv. Recreation - On-site recreation provisions shall be detailed and off-site recreation demands shall be estimated. Provisions for public open space, either dedicated to the Town or available to its residents shall be described. Open space available primarily or exclusively for residents or employees shall also be described.
- v. Solid Waste Disposal - Analysis of the projected volume and type of solid waste to be generated by the proposed development and methods of removal.
- vi. Traffic - The expected impact of traffic generated by the proposed development on area roadways. Discussion shall include existing average and peak traffic volumes and composition, projected average and peak traffic generation and composition, intersection impacts and analysis of area roadway and intersection capacities. Methodologies used to make projection shall be included.
- vii. Highway - Projected need, responsibility and costs to the Town of roadway maintenance shall be analyzed. Impacts of construction equipment on area roadways shall also be discussed.

#### D. Aesthetics

- i. Lighting - The type, design, location, function and intensity of all exterior lighting facilities shall be described. Attention given to safety, privacy, security, and daytime and nighttime appearance shall be detailed.
- ii. Landscaping - Provision for landscaping shall be described including type, location and function of all plantings and materials.
- iii. Visual - Attention given to views into the site and from the site shall be described. Included shall be long-distance views as well as views to and from adjacent properties.

#### E. Planning

Analyze the compatibility of the proposed development and its alternatives with the goals and objectives of the most recent Amesbury Growth Management, Zoning Bylaws, Master Plan and the most recent Open Space & Recreation Plan.

#### F. Traffic Impacts

The applicant, under Section F. shall provide an analysis of development impact which, at a minimum, include the following:

- i. The existing Level of Service (LOS - see definition below) of relevant road systems including quantitative and qualitative measurements of operational factors including speed, travel delay, freedom to maneuver and safety;
- ii. The expected change in the condition of relevant road systems as a result of the proposed development;
- iii. The comparison on a per acre basis of the total vehicular traffic generation from the proposed development with:
  - a) The existing and potential vehicular traffic generation from all other developments accessing relevant road systems; and
  - b) The vehicular traffic generation which would be expected to produce a LOS below LOS "C".
- iv. In determining the impact of vehicular traffic generation from a development, the following standards and definitions shall be used (unless the applicant demonstrates to the Planning Board that given the nature of the proposed project or applicable road systems, other standards are appropriate):

- a) Trip generation rates for land uses as listed in the most recent update of Trip Generations, Institute of Transportation Engineers, Washington, D.C.
- b) Levels of Service: "Levels of Service (LOS is a term which traffic engineers use to define the various operating conditions that occur on a roadway or intersection when accommodating various traffic volumes. Although LOS is a qualitative measure of traffic flow, it is an acceptable measurement for determining overall impact of development on roadway networks. LOS "A" is associated with relatively free-flow and average overall traffic speed in excess of 30 miles per hour. LOS "B" represents stable flow with minor delays and speeds of 25 miles per hour or greater. LOS "C" corresponds to the design capacity of a road system and indicates stable flow with delays, and speeds of 20 miles per hour or more. LOS "D", "E", and "F" correspond to decreasing abilities to travel greater than 15 miles per hour and correspond to the over-capacity of the road system.

#### G. Cost/Benefit Analysis

The Planning Board may, in exceptional circumstances for very large projects, require a cost/benefit analysis. This municipal cost/benefit analysis should follow standard and usual procedures for measuring both the benefits to be derived and costs to be incurred by the Town of Amesbury as a result of the proposed development. This element should also estimate net benefits or costs of non-quantifiable environmental impacts.

### 6.05 EROSION AND SEDIMENTATION CONTROL PLANS

A plan for erosion and sedimentation control covering all proposed excavation, filling and grade work for improvements shall be required. Said plan shall be prepared and certified by a Registered Professional Engineer.

Requirements for Erosion Control. Such plans shall show proper measures to control erosion and reduce sedimentation, as set forth in Section 8.08. Such Erosion and Sedimentation Control Plan shall consist of:

1. All Construction Plan Contents plus,
2. Location of areas to be stripped of vegetation and other exposed or unprotected areas.
3. A schedule of operations to include starting and completion dates for major development phases, such as land clearing and grading, street, sidewalk, and storm sewer installation, and sediment control measures.
4. Seeding, sodding, or revegetation plans and specifications for all unprotected or unvegetated areas.
5. Location and design of structural sediment control measures, such as diversions, waterways, grade stabilization structures, debris basins, etc.
6. General information relating to the implementation and maintenance of the sediment control measures.

In certain circumstances, the Planning Board may require the Applicant to post a performance guarantee, to insure proper implementation of the Erosion and Sedimentation Control Plan during construction. The intent of the performance guarantee is to provide the Planning Board with a specific surety designated for:

- a. construction and ongoing maintenance of measures outlined in the Erosion and Sedimentation Control Plan,
- b. construction and maintenance of additional erosion and sedimentation controls, as may be warranted by particular site conditions,
- c. construction of interim measures, as may be required, for stabilization of disturbed areas and/or repairs to eroded areas.

If, in the opinion of the Planning Board, the Developer fails to adequately execute the Erosion and Sedimentation Control Plan, or fails to satisfactorily control sediment at the site, the proceeds of the performance guarantee shall be made available to the Town of Amesbury, for the purpose of correcting sedimentation and erosion control issues, and for the purpose of bringing the site into compliance with the Erosion and Sedimentation Control Plan.

The form of the performance guarantee shall be as agreed by the Planning Board and shall be maintained and extended by the Applicant/Developer until such time as earthwork operations are completed and all disturbed areas have been adequately vegetated. The dollar amount of the performance guarantee shall be based on the area of land to be disturbed, as shown on the Definitive Plans, (unless otherwise determined by the Board) times the unit price established in the 'Fee Schedule'. Release of the performance guarantee shall be in accordance with the procedures outlined in Section 6.09.E of these Regulations.

#### **6.06 LANDSCAPING PLAN**

A plan for landscaping and plantings to be made shall be required. Said plan shall be prepared and certified by a qualified landscape designer. Such Landscaping Plan shall consist of:

1. All Erosion and Sedimentation Control Plan contents plus:
2. Locations, type and size of all trees and shrubs to be planted. All public street trees shall conform to the approved tree list of the Amesbury Tree Board.
3. Methods to be used to plant such trees and scrubs and for supporting such materials.
4. Specifications and composition of grass seed to be used in unpaved right-of-way areas.

#### **6.07 OTHER**

##### **A. Staking**

To facilitate review of the Definitive Plan by the appropriate authorities, at the time of filing of the Definitive Plan, the applicant shall stake the center line of all proposed streets at a minimum of every one hundred feet (100') with the center line stations.

##### **B. Soil Survey and Percolation Tests**

The Board or its agent may require soil surveys and/or test pits or borings which are to be prepared at the expense of the applicant to establish the suitability of the land for the proposed storm drainage system and proposed street construction.

1. Tests pits, borings, soil surveys or soundings shall be taken along the center line of each street shown on the plan at intervals of at least every two hundred feet (200') and at locations such as cut sections and areas of questionable foundation material where the subsurface conditions may be, in the opinion of the Board or its Agent, factors affecting the quality and service life of the street. Test pits shall be made under the supervision of an Agent of the Planning Board, and shall not be back filled until the applicant has been notified by the Board or its Agent that all necessary inspection and sampling has been completed. Where borings are used, samples shall be taken at five foot (5') intervals and at each change in strata. Test pits and boring, where required, shall extend to a minimum depth of five feet (5') below the street profile grade or to bedrock, which ever is less. The applicant shall indicate on the plan a proposed layout of the subsurface exploration program complete with location, spacing, and type of exploration proposed.
2. All information concerning the test pits, boring, or soundings (location, depth, soil stratas, depth of water table) shall be submitted to the Board in a written report to be made, evaluated and stamped by a Registered Professional Engineer.

#### **6.08 REVIEW PROCEDURES**

##### **A. Board of Health**

The Board of Health shall, within 45 days after the plan is filed, report to the Planning Board in writing, approval or disapproval of said plan, and, in the event of disapproval, shall make specific findings as to which, if any, areas shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefore in such report, and where possible, shall make recommendations for the adjustments thereof. Failure of Board of Health to report shall be deemed approval by such board. When the Definitive Plan shows that no town sewer system is to service the proposed lots, approval by the board of Health shall not be treated as, nor deemed to be approval of a permit for the construction and use of any lot of an individual

sewage system; and approval of a Definitive Plan for a subdivision by a Board of Health shall not be treated as, nor deemed to be, an application for a permit to construct or use an individual sewage system on any lot contained therein. If the report of the Board of Health shall so require, the approval by the Planning Board shall be on condition that no building or structure shall be built or placed upon the areas designate, without consent by said Board of Health. In the event approval by the Board of Health is by failure to make a report, the Planning Board *shall have noted on the plan* that approval by the Board of Health is by failure to report.

**B. Conservation Commission Review**

The developer shall document prior to Planning Board approval of the Definitive Plan either that the Conservation Commission has determined that the Wetlands Protection Act is not applicable to the proposed development of that he has filed a Notice of Intent with the Commission.

**C. Review by Other Town Officials**

Prior to approval of any Definitive Plan and Profile, the Planning Board will require a letter of review from the Department of Public Works, the Fire Department, and the Police Department. If any of the above officials fail to report, such failure shall be noted in the minutes of the Public Hearing.

**D. Public Hearing**

The Board will not approve a Definitive Subdivision Plan submitted to it until it has held a Public Hearing with respect to such plan. Notice of each such public hearing shall be given by the Board in accordance with MGL c 41 § 81T.

**6.09 ACTION BY THE PLANNING BOARD AND PERFORMANCE GUARANTEES**

**A. Decision**

After the Public Hearing, the Board shall within 135 days (90 days in the case of nonresidential subdivision and subdivision for which a preliminary plan has been submitted), unless otherwise agreed upon by the applicant and the Board, approve, approve with modifications, or disapprove the Definitive Subdivision Plan submitted. Criteria for action by the Board shall be the following:

1. Completeness and technical adequacy of all submissions;
2. Determination that development at this location does not entail unwarranted hazard to safety, health and convenience of future residents of the development or of others because of possible natural disasters, traffic hazard, or other environmental degradation which will result in an increased threat to public health and safety.
3. Conformity with the requirements of these Rules and Regulations;
4. Determination, based upon the Environmental Analysis, where submitted, that the subdivision as designed will not cause substantial damage to the environment, which damage could be avoided or reduced through an alternative development plan;
5. Conformity with all applicable zoning requirements;
6. Consistency with the purposes of the Subdivision Control Law (MGL c 41).

Following such action, the Board will file a certification of its action with the Town Clerk and will send notice of its action by registered or certified mail to the applicant at his address stated in the application. Such summary will be available to any person upon request. A copy of the certificate shall be transmitted by the Board to the Inspector of Buildings.

**B. Performance Guarantee**

The Board's approval of a subdivision plan, if granted, shall be endorsed on the Definitive Plan only after the expiration of any applicable statutory appeal period. Before the Board endorses its approval on the plan, the applicant shall provide assurances as set out below.

The applicant shall file security in an amount determined by the Board to be sufficient to cover the cost of all or any part of the improvements as shown on the Definitive Plan and as specified in the design and construction standards not covered by a covenant below. The form of the security shall be as required by the Board. Such security, shall be approved as to form and manner of execution by the Town Counsel and as to sureties by the Town Treasurer and

shall be contingent on the completion of such improvements within three years of the date of the security. At the discretion of the board a time extension may be granted for a period not to exceed one (1) year; provided that such an extension may be conditioned upon an increase in the amount of such security as determined by the Board.

Alternatively, the owner may execute an appropriate covenant which shall be recorded with the subdivision plan, stipulating that no lot of the land shown on the plan shall be sold, or buildings or other structures erected or placed on, or application for a building permit made with respect to, any such lot until:

1. All required improvements required by the Board shown on the plans and profiles have been constructed throughout in accordance with the requirements of these Rules and Regulations.
2. The subdivision plan, bearing the Board's signed endorsement thereon, and a signed copy of such agreement have been recorded in the Registry of Deeds or with the Recorder of the Land Court;
3. The owner has executed a contract with the board on behalf of the Town, accompanied by appropriate security to secure performance of the terms and conditions thereof, to complete construction of all required improvements not later than a specified date;
4. The owner has recorded in the Registry of Deeds or with the Recorder of the Land Court a certificate of release from the Board indicating that the conditions set forth in this section have been met. In addition, the owner shall covenant that no Building Certificates of Use and Occupancy shall be applied for until streets serving such building have been surfaced with at least at the required base course of bituminous concrete.

However, nothing in this section shall be construed as a limitation on the authority of the Board to condition its approval of any plan upon the satisfaction of additional conditions.

#### **C. Copies of Documents**

Following plan approval, endorsement, and recording, the applicant shall provide the Board with a mylar copy of the Definitive Plan and two copies of final covenants and restrictions, noting book and page number, and date of recording for each; and two copies of the Plan and a copy of the covenant shall be transmitted to the Inspector of Buildings by the Planning Board.

#### **D. Evidence of Satisfactory Performance**

Before the Board will release the interest of the Town in a performance bond or deposit, or issue a release of covenant, the applicant shall file with the Planning Board a certified copy of the layout plan of each street in the subdivision (with accompanying cross-sections and profile). Certification shall be by a Registered Civil Engineer and Registered Land Surveyor, and shall indicate that streets, storm drains, utilities, and their appurtenances have been constructed, and monuments have been installed, in accordance with these rules and regulations and with said plan and are accurately located, as shown thereon.

#### **E. Release of Performance Guarantee**

1. Upon completion of improvements required by this regulation, the subdivider may request either partial or full release of his bond, deposit or covenant by sending a statement of completion and request for release by registered mail to the Planning Board and to the Town Clerk. Copies of release from covenants or agreements regarding building or use and occupancy permits shall be sent by the Planning Board to the Inspector of Buildings.
2. **Partial Release.** The Board may grant partial release from such security for partial completion of improvements, provided that the completed portion provides a reasonable system for circulation and utilities pending completion of the rest, and provided that appropriate arrangements have been made for later disposition of interim facilities.
3. **Security.** The Board may release the applicant from the covenant upon receipt of an agreement executed by the applicant and by the holder of a first mortgage on the premises providing for retention of funds and their availability to the Town upon default (see MGL c 41 § 81U, 11th paragraph).
4. **Retention of Security after Completion.** The Board shall retain security in an amount equal to at least 10% of the total cost of landscaping and street improvements to ensure construction adequacy against hidden faults or damage. Such security shall not be released until the fee has been conveyed to the town and the road has been accepted at Town Meeting or until three years have elapsed since completion of improvement, whichever occurs first.

5. **Refusal of Release.** If the Planning Board determines that said construction or installation has not been completed, it shall specify in a notice sent by registered mail to the applicant and to the Town Clerk the details wherein said construction and installation fails to comply with the requirements of these Subdivision Rules and Regulations.

**F. Rescission (Cancellation or Voiding)**

Failure of the developer to record the Definitive Plan within six months of its endorsement, or to comply with the construction schedule, if any, incorporated into the performance agreement or to either initiate construction of improvements of sell lots in a subdivision or portion thereof within eight years of the approval of the Definitive Plan, or to comply with all applicable Zoning Bylaws and requirements of the Conservation Commission under the Wetlands Protection Act, or unauthorized departure from any agreements made from these regulations or plans submitted, whether or not at the direction of other public agencies or officials, shall constitute sufficient reason for the Planning Board to consider rescission of such approval, in accordance with the requirements and procedures of MGL c 41 § 81W.

**6.10 WAYS AND EASEMENTS**

1. Approval by the Planning Board of a definitive subdivision plan shall not constitute the laying out or acceptance by the Town of any streets, sidewalks, jogging path or bicycle path thin a subdivision.
2. The subdivider shall retain title to the fee of each street, path or easement in or appurtenant to the subdivision until conveyed to the Town of Amesbury. Notation that this is to be done shall be placed on the Definitive Plan and a notation stating “the grantor hereby retains all title in the streets, path and easements referenced to in the description” or words of similar import and meaning, shall be placed on all deeds transferring lots within the subdivision.

**6.11 INSPECTIONS**

1. Purpose. Inspections of the quality of materials used and methods of installation of the improvements within a subdivision by the Board are required to protect the health and welfare of the future subdivision residents, and of the Town.
2. Access. The applicant will provide safe and convenient access to all parts of the subdivision, for the purposes of inspection, to representative of the board or other Town agencies and Boards.
3. Responsibility The applicant is responsible for requesting inspections at the proper stage in the process of installation of improvements (see Section 8.02). Should an inspection not be performed due to the failure of the applicant to notify the Planning Board, the applicant will be required to uncover the improvements. No work will be accepted that has been covered before inspection.
4. Inspection fee. A fee shall be charged to cover the cost of inspections. This fee shall be based upon the time spent by the Planning Board’s representative in making the required inspections.

**6.12 AS BUILT PLANS**

Upon completion of construction, and before release of the performance guarantee, the subdivider shall have prepared and submitted As-Built Plans at the same scale as the street plans, which shall indicate the actual locations of street line; traveled way edges; path locations; permanent monuments; inverts and location of required utilities and drainage; locations of all underground utilities. The accuracy of such As-Built Plans shall be certified by a Registered Land Surveyor and Registered Professional Engineer retained by the subdivider. The Planning board shall be provided with one mylar copy and two blue-line copies of the As-Built Plan (record drawing).

## **SECTION 7 DESIGN STANDARDS**

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### **7.01 GENERAL**

All requests for waivers of these Rules and Regulations must be submitted in writing by the applicant to the Board. The applicant must demonstrate to the Board that the waiver will not be detrimental to the interests of these regulations. Waivers may be granted where another method achieving the same purpose is proposed. Any such waiver shall be upon vote of a majority of the Board.

### **7.02 DESIGN OBJECTIVES**

Design and construction shall reduce, to a maximum extent possible, the following features:

1. Volume of cut and fill;
2. Area over which existing vegetation will be disturbed, especially if within 200 feet of a river, wetland or waterbody or in areas having a slope of more than 15%.
3. Number of trees removed having a diameter over 12" at breast height (DBH);
4. Extent of waterways altered or relocated;
5. Dimensions of paved areas (including streets) except as necessary for safety and convenience, especially in aquifer recharge areas;

Design shall emphasize, to the extent possible, visual prominence of natural features of the landscape, and the maintenance within the subdivision of runoff and vegetative cover equivalent to the conditions that existed before development. Street grades shall follow the natural contour of the land as nearly as is possible so as to minimize excessive cuts and fills.

### **7.03 EASEMENTS**

1. Where utilities cross lots or are centered on rear or side lot lines, easements shall be provided of a width of at least twenty feet (20').
2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board shall require an easement (s) of adequate width and proper side slopes to conform substantially to the lines of such water course, drainage way, channel or stream and to provide for construction or other necessary purposes. In no case shall the width of said easement be less than twenty feet (20') of the side slope be steeper than two (2) horizontal to one (1) vertical.
3. Access easements or parcels to adjacent property shall be provided, if required by the Board, for use by emergency vehicles and for the benefit of the Town. They shall be a minimum width of twenty feet (20'), Bikeways or walkways may satisfy this requirement.
4. Where storm detention areas are proposed within common open space, an easement shall be provided for the area encompassing its maximum design storm retention capability. An easement for access to the detention area shall also be provided. In all other areas, a separate unbuildable lot shall be established that includes the area encompassing its maximum design storm retention capability as well as access to the detention area from the proposed right-of-way. Additionally, a landscape screening plan shall be required along the proposed perimeter of the stormwater detention areas. A minimum of a 48" fence may also be required by the Planning Board.

### **7.04 OPEN SPACE**

The Board may require the plan to show a park or parks, suitably located for playground or recreation purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land and shall be at least equal to one (1) lot of land for each twenty (20) single family dwelling units or fraction thereof shown on the plan. For all nonresidential subdivision, the park shall be equal to one (1) times the total gross square feet of floor area of the buildings. The Board may, by appropriate endorsement on the plan, require that no building be erected upon such park or parks without its approval for a period of three (3) years. Each area reserved for such purpose shall be of suitable area, dimensions, topography and natural character for the purpose of a park and/or playground. The area or areas shall be so located as to serve adequately all parts of the subdivision as approved by the Board. The Board may require that the area or areas reserved shall be located and laid out so as to be used in conjunction with similar areas of adjoining subdivisions or of probable subdivisions.

## **7.05 PROTECTION OF NATURAL FEATURES**

All natural features, including, but not limited to, stone walls, trees, wooded areas, water courses, wetlands, scenic points, historic spots, shall be preserved to the maximum extent possible. Any clearance, back filling, cutting, thinning or other disturbance to trees twelve inches (12") or over in diameter measured four feet (4') above finished ground level (dbh), located within the minimum front setback distance shall be prohibited unless specifically approved by the Board. Any such proposed clearance shall be shown on the plan and written reasons therefore may be requested by the Board. Tree wells or retaining walls should be installed whenever necessary for suitable grading around trees and where necessary to protect trees during the construction process. Tree wells or retaining walls shall be of such design to meet the standards as set forth in the Tree Experts Manual or similar publication.

## **7.06 LOT DRAINAGE**

Lots shall be prepared and graded consistent with drainage into the subdivision and in such a manner that development of one shall not cause detrimental drainage onto another or on areas outside the subdivision, to the extent permitted by law. If provision is necessary to carry drainage to or across a lot, a utility easement of a minimum width of twenty feet (20') and proper side slope shall be provided. To the maximum extent possible runoff exiting the overall subdivision area shall not be of greater rate after the completion of all improvements than existed prior to such improvements.

## **7.07 UTILITIES**

All required utilities exclusive of transformers shall be placed underground at the time of initial construction. There shall be a minimum of five feet (5') of cover over all utility lines. Except for lot connections, cross-country connections, lift or pump stations, all main water, sewer, drainage utilities shall be located within the paved roadway area.

Where adjacent property is not subdivided or where all the property of the applicant is not being subdivided at the same time, provision shall be made for the extension of the utility system by continuing the utility lines/mains the full length of streets and to the exterior limits of the subdivision at such grade and size which will, in the opinion of the Board, permit their proper extension, at a later date. The applicant shall not deny others connection to the utilities provided they pay all cost of such connection.

Connections for utilities located in the way shall be constructed for each lot whether or not there is a building thereon, except that the Board may waive such requirement, in whole or in part, in the case of a lot to be used for a park, playground or for any other purposed for which, in the opinion of the Board, such connections shall not be required.

## **7.08 MISCELLANEOUS**

1. All streets, sidewalks, crosswalks, bikeways, walkways, water mains, pipes, hydrants, utilities, drains, basins, culverts, and other related facilities and services shall be installed and completed without expense to the town in accordance with these regulations and the specifications of the appropriate boards.
2. Reserve strips prohibiting access to streets or adjoining property shall not be permitted except where, in the opinion of the Planning Board, such strips are in the public interest.
3. Access through another municipality: In case access to a subdivision crosses land in another municipality, the Board may require certification by the appropriate officials that such access is in accordance with the zoning and subdivision requirements of such municipality and that a legally adequate performance bond has been duly posted and that such access is adequately improved to handle prospective traffic.
4. Resubdivision: Resubdivision of all or part of land covered by an existing plan shall be governed by regulations then in force. Such resubdivision shall show clearly the areas being resubdivided and the file number of all previous plans of the same area, together with filing dates.

## **7.09 STREETS AND WAYS**

### **A. General**

Residential street systems shall be designed to be compatible with existing streets, and to rationalize traffic patterns within new subdivisions. The street plan shall accommodate existing street alignments which enter or border the tract.

Before any curb cuts are made for roads or driveways onto an accepted street, way in use or any other street maintained by the Town, permits for such curb cuts must be granted by the DPW Superintendent or the Town Engineer.

No building permits will be issued by the Building Inspector until such permits have been issued by the DPW Superintendent or the Town Engineer.

#### **B. Residential Street Classification**

The following classification of residential streets is intended to assist in the evaluation of the design of each street in a subdivision's system, and not intended to be used to set arbitrary standards without assessing the complete plan for a subdivision and the intended use of each street.

Residential streets shall be classified, according to their design, use (actual or intended), their relationship to other streets in the hierarchy and their residential character, in the following categories, as defined in Section 2: common access driveways, minor streets and major streets.

Residential streets in each category shall meet construction specifications as required in this regulation after inspection and analysis of the soil types, site contours and site considerations deemed necessary by the Planning Board to obtain the objectives of these regulations.

#### **C. Access**

Where practical and compatible with the zoning and internal layout of the subdivision, dwelling unit driveway access to Major Streets shall be avoided. Subdivisions over 25 lots shall require two means of access.

The Board may disapprove a plan where it determines that dangerous traffic conditions may result from inadequacy of the proposed access or of the proposed ways within the subdivision or of any of the ways adjacent to or providing access to the subdivision.

#### **D. Street Location and Alignment**

1. All streets shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular travel. Provision shall be required for access to abutting existing streets or adjoining land which is not yet subdivided.
2. Sight distance at street intersection shall not be less than 300 feet in each direction and the Board may require greater sight distances for intersection with heavily traveled, main roads.
3. The length of a dead-end street or cul-de-sac shall not exceed 750 feet, as measured from the first point of curvature of the cul-de-sac loop to the right of way line of the intersecting roadway, unless a greater length is deemed desirable by the Planning Board, because of topography or other local conditions. For the purposes of this Section, any proposed street which intersects solely with a dead-end street shall be deemed to be an extension of the dead-end street.
4. Dead-end streets shall be provided at the closed end with a turn-around having an outside roadway diameter of at least one hundred feet (100'), and a property line diameter of at least one hundred and twenty feet (120') unless otherwise specified by the Planning Board. The width of the paved surface in the cul-de-sac loop shall be thirty feet (30'). The cul-de-sac shall include the placement of a circular landscaped island with a radius of twenty feet (20') at the center of the turn-around, if the dead-end street is not intended to connect with another street at some future point in time. The unpaved area of all cul-de-sacs must be landscaped with low maintenance trees and shrubbery.
5. Street jogs with centerline offsets of less than one hundred and twenty five feet (125') should be avoided.
6. Property lines at street intersections shall be rounded or cut back to provide for a radius of not less than thirty (30) feet.
7. The minimum centerline radii of curved streets shall be 200 feet for a minor street and 250 feet for a major street.
8. No streets shall intersect at less than 60°.
9. Except in R-8 zones and where no other alternative is practicable, no two streets may intersect with any other street on the same side at a distance of less than 400 feet measured from centerline to centerline of the

intersecting street. When the intersected street is a major street, the distance between intersection streets shall be at least 1,000 feet.

10. Streets shall be related appropriately to the topography. In particular, streets shall be designed to facilitate the drainage objectives set forth in Section 7.10. Street grades shall conform as closely as practicable to the original topography and must be within the parameters listed below. Under no circumstances shall any street have a grade of more than 3% within 100 feet of an intersection.

|                               | <u>Maximum Grade</u> | <u>Minimum Grade</u> | <u>Design Speed</u> |
|-------------------------------|----------------------|----------------------|---------------------|
| <b>Common Access Driveway</b> | 12%                  | 1%                   | 20 mph              |
| <b>Minor Street</b>           | 10%                  | 1%                   | 25 mph              |
| <b>Major Street</b>           | 8%                   | 1%                   | 30 mph              |

**E. Street Pavement Width**

The required width of *pavement* for two-way, paved residential streets shall be as follows:

|                               |         |
|-------------------------------|---------|
| <b>Common Access Driveway</b> | 18 feet |
| <b>Minor Street</b>           | 24 feet |
| <b>Major Street</b>           | 30 feet |

**F. Street Layout (Right of Way)**

The minimum width of a street layout (rights of way) shall not be less than the following:

|                               |         |
|-------------------------------|---------|
| <b>Common Access Driveway</b> | 40 feet |
| <b>Minor Street</b>           | 50 feet |
| <b>Major Street</b>           | 60 feet |

Rights of Way for pedestrian access adjacent to paved streets shall be obtained where sidewalks, bikeways, or other structures are necessary.

Slopes adjacent to roadways, natural or man-made, may be placed within easements on individuals properties rather than within the street layout.

**G. Curbing**

Curbing shall be required to be installed on all streets. Curbing shall be constructed of granite. Slanted curbing shall be provided on sidewalks at pedestrian crosswalks and all crosswalks shall be wheelchair accessible. Curbing shall be sealed to the road pavement.

**H. Pedestrian and Bicycle Paths**

Sidewalks shall be placed parallel to roadways as follows:

1. On both sides of all streets
2. Around the perimeter of cul-de-sacs.

Sidewalk design shall be varied in horizontal layout and location to enhance aesthetic value. When located within the street right of way, sidewalks shall be located at or near the outside of the layout, when possible, with a maximum of Pedestrian-Vehicular separation. Where sidewalks are located outside of the right of way, the developer shall reserve suitable easement therefore. Sidewalks shall be a minimum of four (4') feet in width and run continuously through all driveway intersections. There shall be a minimum buffer strip of six (6') feet between sidewalk and roadway curbline. The buffer strip shall be appropriately landscaped.

Where necessary to provide safe pedestrian travel, the Board may require crosswalks which shall be constructed of textured or stamped concrete/pavement or brick pavers with granite edging.

Public bicycle paths may be required by the Board to provide circulation or access to schools, recreational areas, retail facilities, transportation and community facilities, or where in the opinion of the Planning Board, bicycle travel in the streets would be dangerous. These paths may or may not be part of the normal sidewalk provisions.

Bicycle paths shall be designed with a minimum ten foot right of way, 4-6 feet paved width and maximum gradient of 5% except for segments of less than 200 feet, where a maximum gradient of 10% will be allowed, and a minimum center line radius of 25 feet.

#### **I. Trees and Shrubs**

Street trees of nursery stock conforming to the Standards of the American Association of Nurserymen, of a species approved by the Planning Board, after consultation with the Amesbury Tree Board, shall be planted on each side of each street in a subdivision, except where the Definitive Plan shows trees along the ways which are healthy and adequate, shall be retained. Street trees shall be located within the buffer strip or, at the discretion of the Board, outside of the right-of-way. They shall be planted at approximately thirty foot (30') intervals; two inches (2") in caliper measured four feet (4') above the approved grade (dbh); shall be planted each in at least one-half (1/2) cubic yards of topsoil, and be not closer than three feet (3') from the curbline unless otherwise approved by the Board. Trees shall be properly planted, wrapped, and gusted to insure their survival.

The developer will be responsible for all trees so planted as to their erectness and good health after planting and until the release of all guarantees.

Except as otherwise provided, all cut bankings shall be planted with a low growing shrub or vine and wood chips or bark much to a minimum depth of six inches (6") or seeded with a deep-rooted perennial grass to prevent erosion, or other accepted low-maintenance slope stabilization methods.

Other landscaping along ways may be required by the Board.

#### **J. Retaining Walls**

Except where existing sound ledge is available, all proposed retaining walls shall be constructed of natural fieldstone or fieldstone veneer and shall not exceed a maximum height of five (5) feet.

#### **K. Common Access Driveways**

Common Access Driveways (CAD) may be permitted by the Board through a Special Permit provided the proposed CAD meets the requirements listed in Section XI.O of the Amesbury Zoning Bylaws and the CAD shall conform to the following Design Standards:

1. Alignment and sight distances of the CAD should be sufficient to support a design speed of 20 mph;
2. The CAD shall be capable of providing access for emergency vehicles (WB50) with either a "hammer head", "T" or "Y" configuration in lieu of a cul-de-sac for reverse direction in a single movement;
3. A 12" thick gravel base and 3" bituminous surface (2" binder course, 1" wearing course);
4. An 18 foot minimum paved width;
5. A 1% minimum slope, 12% maximum slope;
6. A 25 foot minimum radii at intersection with public way with roundings and sloped granite curbing;
7. Grade should not exceed 4% for a distance of 25 feet from the public right of way;
8. Curbing shall not be required for slopes less than 2%, bituminous berm for slopes between 2 and 5 percent, and sloped granite or concrete from slopes greater than 5 percent;
9. A fire hydrant is required if the terminus of the CAD is greater than 500 feet from an existing hydrant on a public way;
10. Requirements for location catch basin, and methods of handling/conveying stormwater should be in conformance with current Rules and Regulations (Section 8.04);
11. Any utility extensions along the CAD should be considered "privately owned" and maintained;
12. The CAD shall not be in excess of five hundred (500) feet in length as measured from the first point of curvature of the common access driveway to the right of way line of the intersecting roadway unless a greater length is deemed desirable by the Planning Board because of topography or other local conditions. For the purposes of this section, any proposed street which intersects solely with the common access driveway shall be deemed to be an extension of a dead end street.
13. The CAD shall not enter any roadway at a point separated by less than one hundred (100) feet from an intersection. On a state-numbered highway, the CAD shall not enter the roadway at a point separated by less than one hundred (100) feet from any other driveway, curb cut, or intersection;

14. Permanent signs indicating the street number address assigned to each dwelling unit served by the CAD shall be installed within ten (10) feet of the intersection of the CAD with the street, as well as within ten (10) feet of the intersection of an individual lot driveway with the CAD.

\* Note, minimum design standards may be increased for commercial and industrial uses and all other standards under Section XI.C (Site Plan Review) may be required.

## **7.10 DRAINAGE**

### **A. General Approach**

Storm drains, culverts, and related facilities shall be designed to permit the unimpeded flow of all natural water courses, to ensure adequate drainage at all low points along streets, to control erosion, and to intercept storm water run-off along streets at intervals reasonably related to the extent and grade of the area being drained. To the maximum extent feasible, storm water must be recharged utilizing structures designed to prevent water quality degradation, rather than piped to surface water. In areas identified as high yielding, aquifer and aquifer recharge areas, recharge is especially critical. Peak stream and channel flows and overland runoff at the boundaries of the development in the twenty five (25) and one hundred (100) year frequency storm shall be no higher following development than prior to development.

Where the water table is not too high and where the soil is reasonably permeable to adequate depths, drainage shall feature swales, detention/retention ponds and multi-use areas. Open drainage systems may be required for recharge of aquifers and recharge areas provided that runoff is not seriously polluted. Open drainage featuring grassed areas will be preferred as providing better filtration than pits and shafts.

### **B. Design Basis**

Storm sewers shall be designed to convey peak discharge of the 25 year frequency storm, and culverts shall be designed to convey the peak discharge of the 100 year frequency storm. Detention ponds shall be designed to provide no increase in peak discharge to any off-site area in both the 25 years and 100 year storms. Retention ponds shall be designed such that the combined storage and 24-hour recharge volumes are greater than the inflowing runoff volume.

### **C. Design Method**

Storm Drainage calculations shall be based upon the rational method and the modified soil cover complex method with Storm Drainage design based upon the objectives, principles and design considerations set forth in the current edition of Urban Hydrology for Small Watersheds, published by the USDA, Soil Conservation Service, Technical Release 55 (TR 55). This publication is hereby incorporated as a part of these regulations. In cases where TR 55 does not apply the Planning Board, after consulting with the Director of Public Works, may base design methods upon other pertinent references.

Water velocities in pipes and gutters shall be between three (3) and ten feet per second. (see §8.04.B.)

When determining the extent of development, all undeveloped, off-site tributary areas shall be assumed to be fully developed in accordance with the Amesbury Zoning Bylaw and these Subdivision Regulations.

### **D. Connections**

Proper connections shall be made with any existing drains in adjacent streets or easements which must be proven, by the developer, to be adequate to accommodate the drainage flow from the subdivision. In the absence of such facilities, or inadequacy of the same, it shall be the responsibility of the developer to extend drains from the subdivision as required to property dispose of all drainage from said subdivision in a manner determined to be proper by the Board. Should any such outlet extend onto adjoining privately owned property, the developer should obtain all necessary easements running to the Town of Amesbury in a manner approved by the Board. Any connection to existing facilities shall also meet the requirements of the Director of Public Works and the Town Engineer.

### **E. Flood Hazard Avoidance**

Any subdivision located partially or wholly within the Zone A of the Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency (FEMA) shall comply with the following:

1. Subdivision design shall be consistent with the need to minimize flood damage within the flood-prone area, through use of clustering, open space reservation, street profile design, and drainage.
2. All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage.
3. Drainage systems shall be designed in consideration of possible flooding to the Base Flood Elevation.

#### **7.11 STONE MONUMENTS**

Granite monuments 4" x 4" x 4' with a 3/8 inch drill hole in the center are to be furnished and set on both sidelines of all points of change of direction or curvature of streets, and points of tangency. Iron pipes shall be set at the intersections of lot lines and street rights of way and at all points of change of direction of boundary lines of each lot in the subdivision. In no case shall they be spaced any more than 1000 feet apart.

Monuments shall not be set until all street and utility construction which might destroy or disturb their location has been completed. Monuments shall be accurately set in the ground with the top flush with the finish grade of the surface of the ground adjacent to the location in which they are to be placed, unless otherwise specified by the Board. The developer shall excavate a hole sufficiently large to properly place these stones and thoroughly tamp around them sufficient material to hold them securely in position. If the material is not satisfactory for backfill, in the opinion of the Planning Board, then said holes shall be filled with gravel.

#### **7.12 ROAD NAMES AND STREET SIGNS**

Road names shall be determined by the Planning Board at the time of approval of the Definitive Plan. Street name signs shall be furnished and erected, conforming with street signs used by the Town at all street intersections. Other road signs, i.e. "private street", shall be furnished and erected, as the Board determines is necessary. Road names shall be approved by the Planning Board.

#### **7.13 STREET LIGHTING**

In residential subdivisions, lighting shall consist of a 100 watt (4000 lumens) mercury vapor lamp in a rectangular town and country fixture mounted above grade on a fiberglass or aluminum pole. Street and pedestrian/bicycle path lighting shall be installed by the developer, except on cul-de-sacs along all roadways where sidewalks are required. Lighting shall be cast downward to prevent light from shining into residences or the eyes of pedestrians or drivers. Lighting fixtures shall be placed a maximum of 300 feet apart, except on curves or other hazardous locations, as determined by the Planning Board, where less separation will be required. All lighting fixtures must be compatible with Massachusetts Electric Co. owned equipment and be in accordance with Massachusetts Electric CO. specifications, so as to assure equipment eligibility for Massachusetts Electric Co. service under Street Lighting Rate S-23, Option B (M.D.P.U. No. 423, Effective June 8, 1978) or the most recently effective equivalent rate. Other types of luminaries and/or poles desired by the developer may be used if approved by the Planning Board.

#### **7.14 FIRE PROTECTION**

Where a public water supply will be installed within the subdivision, hydrants shall be placed at intervals not exceeding five hundred feet (500'). There shall be gates at leads to hydrants. All gates, valves and hydrants shall be as specified and approved by the Fire Chief.

Where no public water supply is to be installed, fire holes and "dry hydrants" shall be installed as specified and approved by the Fire Chief as to number, water volume and design.

#### **7.15 EARTH REMOVAL**

1. The tentative or final approval of a subdivision plan by the Planning Board shall not be construed as authorizing the removal of material from the premises, except in connection with the construction of streets shown on the plan.

2. All other earth removal within subdivisions shall be in accordance with all rules, regulations, and bylaws for the Town of Amesbury, Massachusetts

#### **7.16 SEWERS**

Sanitary Sewer System: The calculations used in designing the sewerage system including the method of estimating average flows (including infiltration allowances), the peaking factor used, the hydraulic design of the system including quantity and velocity of flow under both average and peak flow conditions shall be included. Design sketches showing the hydraulic gradient and the energy gradient for each run of pipe shall be included. Calculations of flows shall be based upon 314 CMR 7.15.

#### **7.17 TOWN ACCEPTANCE**

Completed utilities and roads are required to satisfactorily pass one complete winter prior to presentation to the Town for acceptance.

**SECTION 8 CONSTRUCTION STANDARDS**

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**8.01 GENERAL**

All streets within a subdivision shall be constructed in conformity with the current edition of the Massachusetts Department of Public Works, "Standard Specifications for Highways and Bridges", as most recently amended.

Each street or portion thereof necessary to serve each lot in a subdivision shall be constructed and brought to finish grade as indicated on the approved Definitive Plan and in accordance with these regulations.

The subdivider or his contractor shall furnish and maintain all stakes and such temporary structures as may be necessary or required by the Planning Board, or its agent, for marking and maintaining points and lines for the installation of the roadway and related utilities throughout the period of construction of the subdivision.

**8.02 INSPECTIONS**

**A. Schedule.**

It is assumed that under normal conditions work will proceed in accordance with the following construction schedule and site inspections will occur as indicated, or as approved by the Planning Board. The contractor will provide the Planning Board with a detailed construction schedule. Additional inspections may be required as determined by the Planning Board or their designated representative, The Planning board or designated representative must be given 48 hours notice prior to the inspection.

- 1. Establish Construction Control
- 2. Clearing and grubbing; including excavating or stripping poor material.
- 3. Preparation of sub-base; including necessary cuts and fills.

SITE INSPECTION

- 4. Installation of drainage pipes.
- 5. Installation of other underground utilities.

SITE INSPECTION

- 6. Application of material for sub-base.
- 7. Application of gravel in or above sub-base.

SITE INSPECTION

- 8. Application of oil or other binding material where needed as determined by the Planning Board.
- 9. Removal or application of material for slopes.
- 10. Application of bituminous concrete base course.

SITE INSPECTION

- 11. Installation of granite curbing.
- 12. Application of gravel in sidewalks.
- 13. Application of and installation of concrete sidewalks.
- 14. Application of bituminous concrete finish course.
- 15. Application of loam for lawns and slopes.
- 16. Installation of bounds.
- 17. Clean up.

SITE INSPECTION

**B. Fees**

A fee shall be charged to cover the cost of inspections. This fee shall be based upon the time spent by the Planning Board representative in making the required inspections.

**8.03 PREPARATION AND SURFACING OF ROADWAY**

- 1. The right of way shall be cleared of all stumps, brush, roots, boulders, like material and trees, prior to any other work except that trees of aesthetic value and over four (4) inch caliper may be allowed to remain provided that are located at least four (4) feet from the proposed side line of the finished roadway for Major

and Minor Streets and such trees are approved by the Tree Warden and the Planning Board. If fill is to be placed around trees, a tree well shall be constructed prior to placement of the fill.

2. Grade stakes shall be set and maintained at 50 foot intervals on each side of the right of way and at 25 foot intervals of vertical curves.
3. All loam and other yielding material not suitable for foundation material shall be stripped from the roadway area of each street in its entirety and replaced with granular fill. No loam, peat, organic matter, or other soft material shall be used below sub-grade and the sub-grade shall be *thoroughly compacted* before applying the gravel surface. Ledge and large boulders occurring anywhere in the full cross-section of the roadway must be cleared to a minimum depth of twenty four inches (24”) below the finish surface. No loam or gravel shall be removed from the area shown on the definitive plan except in accordance with the approved plan.
4. The roadway shall be provided with a gravel base consisting of at least twelve inches (12”) *compacted* thickness of binding gravel, satisfactory to the Director of Public Works or the Town Engineer, clean, free of organic matter, and containing no stones over three (3) inches in diameter. The gravel shall be spread in two layers, each, thoroughly watered, and rolled true to line and grade.

Before the gravel is spread, the roadbed shall be shaped to a true surface conforming to the proposed cross-section of the road. Rolling shall be with an approved three wheel roller or equivalent, weighing not less than ten (10) tons. All layers shall be compacted to not less than ninety-five (95) percent of the maximum dry density of the material as determined by the Standard A.A.S.H.O. Test Designation T99 compaction test Method C. at optimum moisture content. Any depressions that occur, either during or after rolling, must be filled with additional gravel and re-rolled until the surface is true and even. When required by the Planning Board of the Director of Public Works, samples of the gravel to be used shall be tested for gradation by a sieve analysis and the compacted gravel shall be tested for compaction. All tests are at the expense of the developer. The Planning Board may require streets to be re-excavated if the gravel base is placed prior to plan approval or prior to an inspection and approval of the base.

The grading shall conform to the following requirements:

| <b>SIEVE</b> | <b>PERCENT PASSING</b> |
|--------------|------------------------|
| ½ inch       | 50% - 85%              |
| 3/8 inch     | 45% - 80%              |
| No. 4        | 40% - 75%              |
| No. 10       | 30% - 60%              |
| No. 40       | 8% - 35%               |
| No. 200      | 0% - 8%                |

5. The completed gravel base shall be treated the full pavement width as specified by the Director of Public Works.
6. The wearing surface of roadways and driveways within the right of way shall be a two course “Type-I” Bituminous concrete pavement, applied with a base course as per the below table, after compaction, and a finish course, after compaction, in accordance with the Massachusetts Department of Public Works (DPW) Standard Specifications for Highways and Bridges Section 460. A two percent (2%) cross-slope shall be maintained for drainage.

| <u>Pavement Thickness</u> | <u>Minor Street</u> | <u>Major Street</u> |
|---------------------------|---------------------|---------------------|
| Finish Course             | 1”                  | 1.5”                |
| Base (Binder) Course      | 2”                  | 2.5”                |
| Total Pavement            | 3”                  | 4”                  |

The base course shall be applied after the treated roadway has been sufficiently compacted, as approved by the Director of Public Works. No pavement shall be laid if frost is present in the ground. The finish course shall be applied only after the base course has weathered through at least one winter.

**8.04 DRAINAGE**

**A. Storm Drainage Structures**

1. Catch basins, Manholes and Piping

A catch basin to manhole drain configuration shall be used. All drain pipes shall be at least twelve (12) inches inside diameter, made of reinforced concrete conforming to Massachusetts DPW specifications for Class III pipe, or such higher class as may be required by depth of cover, which shall be not less than thirty-six (36) inches. Generally, catch basins will be required on both sides of the roadway at every low point of the roadway and on continuous grades at intervals of not more than 250 feet. Any catch basins and manholes used shall be at least six (6) feet deep and four (4) feet diameter (inside measurements), with a thirty (30) inch or greater sump below pipe invert and shall be constructed of concrete blocks or precast concrete units. Manhole covers and grates shall be in conformance with Massachusetts Department of Public Works specifications, designed and placed so as to cause no hazard to bicycles. Massachusetts Department of Public Works cascade grates are to be placed so veins are perpendicular to the roadway. Catch basins shall not be used as manholes. Drainage pipes out of catch basins shall be directly connected to the drainage manholes and not another catch basin.

## 2. Security Bars

Security bars shall be provided at the entrance to all culverts or open pipe drains over 18 inches in diameter. The grate shall be constructed of steel bars not less than ½ inch diameter welded together to provide a grate not smaller than the pipe opening. The vertical bars shall be placed with 2 inch clear openings between them and the horizontal bars shall be placed 12 inches on center. The grate shall be installed not closer than one pipe diameter upstream from the entrance in a manner approved by the Planning Board or its agent. A suitable sketch of the grate and method of installation shall be submitted for approval with the plans for the drains and appurtenances.

## 3. Headwalls

Concrete or Field Stone masonry headwalls or flared ends shall be provided at both ends of culverts.

## B. Scour Protection

The discharge ends of all drains with flowing full velocities of 4 feet per second or more shall be protected with a rip-rap apron of a width not less than three times the nominal diameter of the pipe. The rip-rap apron shall extend for a distance of not less than 10 times the nominal pipe diameter from the end of the discharge pipe. The rip-rap for exit velocities of 10 feet per second or less shall be composed of a layer of stones 12 inches in thickness or more, placed upon a bed of sand and gravel 6 inches in thickness. The stones shall be sized so that not less than 60 percent shall have one dimension 12 inches or more. The stones after being laid shall be carefully chinked by hand to make a reasonably smooth and shaped surface. Where exit velocities are greater than 10 feet per second, the thickness of stones and the dimensions of the individual pieces shall be sized to prevent displacement by the flow. In this case, details shall be submitted to the Board for approval.

## 8.05 SIDEWALKS

1. Sidewalks shall be installed pursuant to Section 7.09 (H) of these regulations.
2. Preparation of the base shall be accomplished by removing material to a depth of 10 inches below finished grade. Any organic or yielding material shall be removed and replaced with eight (8) inches compacted thickness of binding gravel of the Amesbury, MA 01913 specification as that to be used for the gravel base on the roadway.
3. Forms shall be set to grade, and one four inch (4") layer of Portland Cement Concrete (3000 p.s.i.) shall be placed on a minimum of eight inch (8") bank run gravel base. The surface shall be broom-finished.
4. The driveway area within the street right-of-way shall have one 4" layer of Portland Cement Concrete Pavement.
5. The sidewalk shall have scored contraction joints every four feet (4').

## 8.06 SHOULDERS

All disturbed areas between the exterior street right-of-way line and the curb line of the paved roadway which are not occupied by sidewalks or driveways shall be graded, loamed and sodded or seeded with a high quality perennial grass seed.

## 8.07 GRADING OF SLOPES

All slopes resulting from grading of street and sidewalks shall not exceed 1 foot vertical to 3 feet horizontal in fill; 1 foot to 2 feet in cut; and 1 foot to ¾ foot in ledge. Slope easements or retaining walls shall be employed where slopes cannot be contained within street sidelines.

### **8.08 EROSION AND SEDIMENTATION CONTROL**

The developer shall control erosion and sedimentation during construction according to the objectives, principles and design considerations set forth in Residential Erosion and Sediment Control, published jointly by the Urban Land Institute, the American Society of Civil Engineers and the National Association of Home Builders, 1978 and according to the guidelines for Soil and Water Conservation in Urbanized Areas of Massachusetts published by the USDA, Soil Conservation Service, Amherst, 1975. These publications are hereby incorporated as a part of these regulations.

In addition to the requirements and objectives stated therein, the following must also be achieved:

1. An absolute minimum of existing vegetative cover shall be disturbed during the construction period.
2. Only the smallest practical area of land shall be exposed at any one time during development.
3. When land is exposed during development, the exposure shall be kept to the shortest practical period of time.
4. Where necessary, as determined by Planning Board, temporary vegetation and/or mulching shall be used to protect areas exposed during development.
5. All disturbed areas shall be properly and neatly graded and shaped as soon as possible. Final grading shall include removal of all large rocks, stumps, debris, and all other deleterious materials from the finished surface.
6. At the toe of all cut and fill slopes in excess of ten (10) feet in height, *staked* baled hay or other erosion checks shall be installed.
7. All disturbed areas shall be protected from potentially erosive runoff from up-slope areas by means of Diversions, Benches, and/or other acceptable means.
8. Cuts and fills shall not endanger adjoining property.
9. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
10. Grading shall not be done in such a way so as to divert water onto or impound water on the property of another landowner with out the written consent of that landowner.
11. Fills shall not encroach on natural watercourses or constructed channels.
12. During construction, necessary measures for dust control shall be exercised.

### **8.09 SEWERS**

1. A design analysis shall be submitted with each definitive plan submitted for approval. The design analysis shall include at least the following information:  
 Sanitary Sewer System: The calculations used in designing the sewerage system including the method of estimating average flows (including infiltration allowances), the peaking factor used, the hydraulic design of the system including quantity and velocity of flow under both average and peak flow conditions shall be included. Design sketches showing the hydraulic gradient and the energy gradient for each run of pipe shall be included. Calculations of flows shall be based upon 314 CMR 7.15.
2. Sanitary sewers shall be such as to ensure a flow of not less than two and one-half (2 1/2) feet per second nor more than ten (10) feet per second.
3. Sanitary sewer pipe shall be minimum PVC SDR 26 or equivalent pipe and shall have a minimum diameter of 8 inches.
4. Sewer pipes shall be buried with a minimum cover of five feet (5').
5. Manholes shall be located at every change in grade or horizontal alignment, but not more than 300 feet apart.

6. Where pumping stations are required to be installed, the developer will be required to provide an alternating generator capable of operating all pumps in case of power failure. In addition, force mains shall be PVC SDR 26-PR 160 or equivalent and capable of flows of not less than 2 fps. and not more than 8 fps. The entire pumping station shall be enclosed by at least a six-foot non-climbable fence.
7. If a public sewerage system is located within 400 feet of the subdivision, the applicant shall connect all lots to the public sewerage system.
8. If a public sewerage system is planned to be installed within 400 feet of the subdivision within three years of the date of submission of the Definitive Plan as indicated by prior Town Meeting action, the applicant shall install at his cost in the street and to every lot sewerage laterals which can be connected later to the public sewerage system. The applicant is responsible for the proper design and installation of such laterals if the Town provides the applicant, at the applicant's expense, with the necessary plan, specifications, and design standards of the proposed public sewerage system.
9. If public sewerage connections are not required according to the above, or if the planned public sewerage system has not yet been installed to within 400 feet of the proposed subdivision, the applicant shall install private, on-lot sewerage systems.
10. Private, on-lot sewerage disposal systems shall be designed and constructed in conformity with Title 5 of the State Environmental Code and the regulation of the Amesbury Board of Health.
11. Sewer pipe shall be installed according to the size as shown on the plans. No back filling of pipes shall be done until the installation has been inspected by the Planning Board Agent. All trenches shall be filled with clean 3/4" crushed stone, mechanically compacted in six-inch (6") lifts.

#### **8.10 WATER**

1. Water mains shall be at least Class 52 cement-lined, ductile iron pipe and shall not be less than 8 inches in diameter in residential subdivisions and not less than 12 inches in diameter in industrial and commercial subdivisions.
2. Hydrants shall be located at all street intersections and not more than 500 feet apart.
3. Each hydrant shall be served directly from the water main through a six-inch lateral connection.
4. Valves along the distribution system shall be not more than 1,000 feet apart and all intersections shall be properly valved to that system isolation can be achieved.
5. Where a public water system is located within 400 feet of the subdivision, the subdivider shall connect to the public water system in accordance with the Master Water Plan as last revised.
6. Water mains shall be buried with a minimum cover of five feet (5').

#### **8.11 SUPERVISION**

The developer shall provide competent supervision during the construction of the subdivision. If at any time it becomes apparent that the supervision is not satisfactory, the Board may order, in writing, the suspension of construction until such time as competent supervision is provided. This shall include necessary supervision to ensure that all temporary drainage controls, erosion and sedimentation control and such other measures as are contained in the approved definitive plan are adequately and properly maintained.

#### **8.12 SAFETY**

All precautions shall be taken by the developer and his subcontractors to observe all applicable safety requirements (i.e., OSHA) and other common sense safety practices.

Holes greater than five (5) feet in depth and uncovered soil piles or materials stacked in an unsafe manner shall not be allowed unless the area is adequately protected. Covered soil piles shall not be higher than five (5) feet in height.

#### **8.13 CLEANING UP**

Before the covenant is fully released, the *entire subdivision area* must be cleaned up so as to maintain a neat and orderly appearance, free from debris, excessive slopes, deep holes and other objectionable materials. All trees removed to allow for construction shall be disposed of outside of the subdivision. All stumps and boulders shall be buried within designated areas approved by the Planning Board of their agent. Such burial site shall not be on the road layout or any building lot. Such designated area, if not located off-site, shall be shown on the definitive plan.

Upon completion of the work all temporary structures, surplus material and rubbish shall be removed by the developer. All areas within the street lines and areas which drain into the street lines shall be restored to permanent vegetation satisfactory to the Planning Board or agent.

**TABLE NO. 1**  
**GEOMETRIC DESIGN STANDARDS**

| <b>Characteristics</b>   | <b>Minor Street</b> | <b>Major Street</b> |
|--|---------------------|---------------------|
| Horizontal alignment minimum centerline radius (ft.)□          | 200                 | 250                 |
| Grade<br>Maximum (%)<br>Minimum (%)□                           | 10<br>1             | 8<br>1              |
| Intersection<br>Minimum radius at edge of property line (ft.)□ | 30                  | 30                  |
| Minimum sight distance at intersection (ft.)□                  | 300                 | 300                 |
| Dead End Streets<br>Maximum length without a turnaround□       | not permitted       | not permitted       |
| Maximum length with a turnaround (ft.)□                        | 750                 | 750                 |
| Minimum turnaround diameter at property line (ft.)□            | 120                 | 120                 |
| Minimum angle of street intersection□                          | 60°                 | 60°                 |

**TABLE NO. 2**  
**STREET CROSS-SECTIONAL**  
**DESIGN STANDARDS**

| Characteristics   | Minor Street | Major Street |
|---|--------------|--------------|
| Minimum right-of-way width (ft.) <input type="checkbox"/>                   | 50           | 60           |
| Pavement width minimum (ft.) <input type="checkbox"/>                       | 24           | 30           |
| Pavement thickness (in.)  | 3            | 4            |
| Surface Course  | 1            | 1 ½          |
| Binder Course <input type="checkbox"/>                                      | 2            | 2 1/2        |
| Planting strips minimum width of each of two (ft.) <input type="checkbox"/> | 5            | 5            |
| Sidewalk<br>Minimum width of each (ft.) <input type="checkbox"/>            | 4            | 4            |
| Curbing required <input type="checkbox"/>                                   | Yes          | Yes          |

**SUBDIVISION RULES AND REGULATIONS**

**FORMS**



# Amesbury

PLANNING BOARD

Town Hall, Amesbury, MA 01913

## FORM A - Application for APPROVAL NOT REQUIRED Plan

Date \_\_\_\_\_, 20\_\_

(File one form with the Planning Board and one copy with the Town Clerk)  
To the Planning Board:

The undersigned, believing that the accompanying plan of his property in the Town of Amesbury does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Applicant Name: \_\_\_\_\_

Address \_\_\_\_\_  
No. Street City/Town State Phone

2. Deed Reference: Book \_\_\_\_\_, Page \_\_\_\_\_, Certificate of Title \_\_\_\_\_

Please indicate the grounds (either A, B, or C not a combination) on which you believe your plan not to be a subdivision.

- |  | <u>Lot Number</u> |
|--|-------------------|
| A. Each lot on the plan meets one of these criteria:   |                   |
| 1. Has the frontage required under zoning on:  |                   |
| a) a public way, or  | _____             |
| b) a way which the Town Clerk certifies is maintained and used as a public way, or               | _____             |
| c) a way shown on a plan approved and endorsed earlier by the Planning Board under this law, or  | _____             |
| d) a way existing before _____ and which the Board finds adequate for the way's proposed use, or | _____             |
| e) a way shown on a plan of a subdivision registered in the Land Court prior to _____.           | _____             |
| 2. Has been clearly marked on the plan to be either:   |                   |
| a) joined to and made a part of an adjacent lot, or  | _____             |
| b) "not a building lot"  | _____             |
| B. Each lot on the plan contains a building which existed prior to _____.                        | _____             |
| C. The plan simply describes already existing parcels with no new lot divisions.                 | _____             |

Signature of Owner: \_\_\_\_\_

Address: \_\_\_\_\_

This information is to be filled in by the Planning Board, however, the applicant may find the checklist useful for plan preparation.

**OFFICE USE ONLY**

Approval Not Required Plans (Ch. 41 81P)  
Submission Requirements:

Date Plan Filed: \_\_\_\_\_  
+21 Days: \_\_\_\_\_  
Hearing Date: \_\_\_\_\_

- \_\_\_\_\_ Original of Plan
- \_\_\_\_\_ 3 prints of plan
- \_\_\_\_\_ Copy of Form A to Town Clerk
- \_\_\_\_\_ Property Boundaries
- \_\_\_\_\_ North Arrow
- \_\_\_\_\_ Date
- \_\_\_\_\_ Scale
- \_\_\_\_\_ Locus map @ 1" = 2000'
- \_\_\_\_\_ Record Owner
- \_\_\_\_\_ Registration stamp and signature of Land Surveyor
- \_\_\_\_\_ Deed Reference
- \_\_\_\_\_ Area of each lot
- \_\_\_\_\_ Bearing and distance on each boundary course
- \_\_\_\_\_ Boundaries of abutting land (where practical)
- \_\_\_\_\_ Abutters to property
- \_\_\_\_\_ Permanent Monuments
- \_\_\_\_\_ Location, name(s) and widths of ways abutting property
- \_\_\_\_\_ "Approval Not Required" and signature area
- \_\_\_\_\_ Zoning Classification
- \_\_\_\_\_ Zoning Boundaries
- \_\_\_\_\_ Area of all remaining land owned by applicant
- \_\_\_\_\_ Location of existing buildings with setbacks
- \_\_\_\_\_ Other parcels labeled "Not a Building Lot"

\$\_\_\_\_\_ Fee (\$100.00 plus \$100.00 for each new lot created)

\_\_\_\_\_ PLAN ACCEPTED  
\_\_\_\_\_ PLAN REJECTED (Circle missing items)

Hearing Date: \_\_\_\_\_  
\_\_\_\_\_ PLAN ENDORSED  
\_\_\_\_\_ PLAN NOT ENDORSED (State reasons)

**TOWN PLANNER COMMENTS:**

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# Amesbury

PLANNING BOARD

Town Hall, Amesbury, MA 01913

## FORM B - Application for PRELIMINARY SUBDIVISION Approval

Date \_\_\_\_\_, 19\_\_

(File one form with the Planning Board and one copy with the Town Clerk)

To the Planning Board:

The undersigned, being the applicant as defined under MGL c 41 §81-L, for approval of a proposed subdivision plan, hereby submits a PRELIMINARY plan and makes application for approval to the Amesbury Planning Board:

1. Name of Plan \_\_\_\_\_

Date \_\_\_\_\_ Drawn by \_\_\_\_\_ Phone \_\_\_\_\_

2. Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_  
No. Street City/Town State Phone

3. Deed Reference: Book \_\_\_\_\_, Page \_\_\_\_\_, Certificate of Title \_\_\_\_\_

Received by Town Clerk:

Signature of Owner: \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_

Address: \_\_\_\_\_

Signature \_\_\_\_\_

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### OFFICE USE ONLY

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| Referred to             | sent  | rec'd back | comment? |
|-------------------------|-------|------------|----------|
| Board of Appeals        | _____ | _____      | _____    |
| Conservation Commission | _____ | _____      | _____    |
| Board of Health         | _____ | _____      | _____    |
| Public Works Dept.      | _____ | _____      | _____    |
| Police Dept.            | _____ | _____      | _____    |
| Fire Dept.              | _____ | _____      | _____    |
| Other _____             | _____ | _____      | _____    |
| Other _____             | _____ | _____      | _____    |

FORM B (con't)

This information is to be filled in by the Planning Board, however, the applicant may find the checklist useful for plan preparation

OFFICE USE ONLY

Preliminary Plans (MGL c 41 §81S)

Submission Requirements:

Date Plan Filed: \_\_\_\_\_

+45 Days: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

- \_\_\_\_\_ Original of Plan
- \_\_\_\_\_ 10 prints of plan
- \_\_\_\_\_ Copy of Form B to Town Clerk
- \_\_\_\_\_ subdivision name
- \_\_\_\_\_ North Arrow
- \_\_\_\_\_ Date
- \_\_\_\_\_ Scale (1" = 40')
- \_\_\_\_\_ legend
- \_\_\_\_\_ title "Preliminary Plan"
- \_\_\_\_\_ Record Owner(s) name & Address
- \_\_\_\_\_ Registration stamp and signature of Land Surveyor
- \_\_\_\_\_ abutters to property (names & addresses)
- \_\_\_\_\_ Location, names and widths of streets
- \_\_\_\_\_ drainage system, sewerage plan
- \_\_\_\_\_ wetlands & other prominent features
- \_\_\_\_\_ sewer and water plan
- \_\_\_\_\_ approx. boundary lines
- \_\_\_\_\_ location, names and widths of adjacent streets
- \_\_\_\_\_ existing topography (2" intervals)
- \_\_\_\_\_ proposed topography (2" intervals)
- \_\_\_\_\_ zoning classification
- \_\_\_\_\_ zoning boundaries
- \_\_\_\_\_ plan of all remaining land owned by applicant
- \_\_\_\_\_ USSC soil classification
- \_\_\_\_\_ locus map

\$\_\_\_\_\_ Fee paid (see filing fees)

\_\_\_\_\_ PLAN ACCEPTED

\_\_\_\_\_ PLAN REJECTED (Circle missing items)

Decision:

\_\_\_\_\_ PLAN APPROVED

\_\_\_\_\_ PLAN DENIED (State reasons)

\_\_\_\_\_ Date of decision

COMMENTS:

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# Amesbury

PLANNING BOARD

Town Hall, Amesbury, MA 01913

## FORM C - Application for DEFINITIVE SUBDIVISION Approval

Date \_\_\_\_\_, 19\_\_

The undersigned, being the applicant as defined under Chapter 41 §81-O, for approval of a proposed subdivision plan, hereby submits a DEFINITIVE plan and makes application for approval to the Amesbury Planning Board:

1. Name of Plan \_\_\_\_\_

Date \_\_\_\_\_ Drawn by \_\_\_\_\_ Phone \_\_\_\_\_

2. Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_  
No. Street City/Town State Phone

3. Deed Reference: Book \_\_\_\_\_, Page \_\_\_\_\_, Certificate of Title \_\_\_\_\_

4. Easements & Restrictions \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature of Owner: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

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### OFFICE USE ONLY

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Received by Town Clerk:

Date \_\_\_\_\_ Time \_\_\_\_\_

Signature \_\_\_\_\_

FORM C (con't)

This information is to be filled in by the Planning Board, however, the applicant may find the checklist useful for plan preparation

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OFFICE USE ONLY

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Definitive Plans (Ch. 41 §81U)

Submission Requirements:

- \_\_\_ 10 prints of plan
- \_\_\_ Copy of Form C to Town Clerk
- \_\_\_ locus plan 1" = 1000'
- \_\_\_ street plans & Profiles
- \_\_\_ cross sections
- \_\_\_ closures/ownership info
- \_\_\_ drainage calcs / sewage calcs
- \_\_\_ environmental & community analysis
- \_\_\_ erosion & sedimentation plan
- \_\_\_ landscaping plan
- \_\_\_ soil survey/test pits
- \_\_\_ fee paid (see filing fees)

Plan Contents:

- \_\_\_ title/owners/applicant/surveyor
- \_\_\_ boundary/area/reference/monuments
- \_\_\_ abutters
- \_\_\_ zoning classification/boundaries
- \_\_\_ FEMA information
- \_\_\_ street locations
- \_\_\_ detention calculations
- \_\_\_ stamp & signature of Land Surveyor
- \_\_\_ certification by plan preparer
- \_\_\_ major site features/utilities
- \_\_\_ Clerk & Planning Board signature area

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| Referred to             | sent | rec'd back | comment? |
|-------------------------|------|------------|----------|
| Board of Appeals        | ___  | ___        | ___      |
| Conservation Commission | ___  | ___        | ___      |
| Board of Health         | ___  | ___        | ___      |
| Public Works Dept.      | ___  | ___        | ___      |
| Police Dept.            | ___  | ___        | ___      |
| Fire Dept.              | ___  | ___        | ___      |
| Other _____             | ___  | ___        | ___      |
| Other _____             | ___  | ___        | ___      |

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- \_\_\_ PLAN ACCEPTED
  - \_\_\_ PLAN REJECTED (Circle missing items)
- Date Plan Filed: \_\_\_\_\_
- +90 Days: \_\_\_\_\_
- Hearing Date: \_\_\_\_\_
- Decision:
- \_\_\_ PLAN APPROVED
  - \_\_\_ PLAN DENIED (State reasons)
  - \_\_\_ Date of decision
- \_\_\_ Preliminary Plan Approved
  - \_\_\_ Definitive Plan Submitted
  - \_\_\_ Approval Deadline Date
  - \_\_\_ Hearing Date
  - \_\_\_ Hearing Date
  - \_\_\_ Date of letters to abutters
  - \_\_\_ Newspaper notices (H-14)
  - \_\_\_ Approval or Disapproval
  - \_\_\_ Appeal Deadline (A+20)
  - \_\_\_ Recording date
  - \_\_\_ Book \_\_\_ Page

**COMMENTS:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# Amesbury

PLANNING BOARD

Town Hall, Amesbury, MA 01913

## FORM D TOWN OF AMESBURY DESIGNER'S CERTIFICATE

\_\_\_\_\_, 20 \_\_\_\_

To the Planning Board of the Town of Amesbury

In preparing the plan entitled, \_\_\_\_\_

I hereby certify that the above named plan and accompanying data is true and correct to the accuracy required by the current Rules and Regulations Governing the Subdivision of Land in Amesbury, Massachusetts, and my source of information about the location of boundaries shown on said plan were one or more of the following:

1. Deed from \_\_\_\_\_ to \_\_\_\_\_ dated \_\_\_\_\_ and recorded in the \_\_\_\_\_ Registry in Book \_\_\_\_\_, Page \_\_\_\_\_.
2. Other plans, as follows \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Oral information furnished by \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Actual measurement on the ground from a starting point established by \_\_\_\_\_  
\_\_\_\_\_
5. Other sources \_\_\_\_\_  
\_\_\_\_\_

(Seal of Engineer of Surveyor)

Signed \_\_\_\_\_  
(Registered Professional Engineer of  
Registered Land Surveyor)

\_\_\_\_\_

\_\_\_\_\_

Address



# Amesbury

Town Hall, Amesbury, MA 01913

PLANNING BOARD

## FORM E PERFORMANCE BOND - SURETY COMPANY

Know all men by these presents that \_\_\_\_\_ as Principal, and \_\_\_\_\_ a corporation duly organized and existing under the laws of the State of \_\_\_\_\_, and having a usual place of business in Boston, Massachusetts, as / Surety, hereby bind and obligate themselves and their respective heirs, executors, administrators, successors, and assigns, jointly and severally, to the Town of Amesbury, a Massachusetts municipal corporation, in the sum of \_\_\_\_\_ Dollars.

The condition of this obligation is that if the Principal shall fully and satisfactorily observe and perform in the manner and in the time therein specified, all the covenants, conditions, agreements, terms, and provisions contained in the application signed by the Principal and dated \_\_\_\_\_, 20 \_\_\_\_ has been or is hereafter granted by the Amesbury Planning Board, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid sum shall be paid to the Town of Amesbury as liquidated damage.

The Surety hereby assents to any and all changes and modifications that may be made of the aforesaid covenants, conditions, agreements, terms and provisions to be observed and performed by the Principal, and waives notice thereof.

IN WITNESS WHEREOF we have hereunto set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

Principal

By: \_\_\_\_\_

Surety

By: \_\_\_\_\_



# Amesbury

PLANNING BOARD

Town Hall, Amesbury, MA 01913

**FORM F  
TOWN OF AMESBURY  
PERFORMANCE BOND - SECURED BY DEPOSIT**

Know all men by these presents that \_\_\_\_\_ of \_\_\_\_\_, Massachusetts, hereby binds and obligates himself/itself and his/its executors, administrators, heirs, successors, and assigns to the Town of Amesbury, a Massachusetts municipal corporation, in the sum of \_\_\_\_\_ Dollars, and has secured this obligation by the deposit with the Treasurer of said Town of Amesbury of said sum in money or negotiable securities.

The condition of this obligation is that if the undersigned or his/its executors, administrators, devisees, heirs, successors, and assigns shall fully and satisfactorily observe and perform in the manner and in the time therein specified, all of the covenants, conditions, agreements, terms, and provisions contained in the application signed by the undersigned and dated \_\_\_\_\_, 200 \_\_\_\_, has been or is hereafter granted by the Amesbury Planning Board, then this obligation shall be void; otherwise, it shall remain in full force and effect, and the aforesaid security for said sum shall become and be the sole property of said Town of Amesbury as liquidated damage.

IN WITNESS WHEREOF the undersigned has hereunto set his hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

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PLANNING BOARD

# Amesbury

Town Hall, Amesbury, MA 01913

**FORM G  
TOWN OF AMESBURY  
PERFORMANCE BOND  
SECURED BY BANK PASSBOOK\***

\_\_\_\_\_, 20 \_\_\_\_

AGREEMENT made this date between the Town of Amesbury and \_\_\_\_\_

KNOW ALL MEN by these presents that \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_

hereby binds and obligates himself/itself/his or its executors, administrators, devisees, heirs, successors and assigns to the Town of Amesbury, a Massachusetts municipal corporation, in the sum of \_\_\_\_\_ Dollars, and has secured this obligation by the deposit with the Treasurer of the Town of Amesbury, Bank Book No. \_\_\_\_\_ drawn on the \_\_\_\_\_ Bank of \_\_\_\_\_ Dollars

(all) , or \_\_\_\_\_ of said sum to be used to insure the performance by the obligor of all the covenants, conditions, agreements, terms, and provisions contained in the application signed by \_\_\_\_\_ and dated \_\_\_\_\_, 20\_\_\_\_, has been or is hereinafter granted by the Amesbury Planning Board.

In the event the obligor should fail to perform his obligations on said project in accordance with the rules and regulations of the Amesbury Planning Board, the Town of Amesbury may use these funds, or any part thereof, to satisfy and complete the obligor's obligations on said project.

Upon completion of all the work required to be completed by the obligor aforesaid on or before \_\_\_\_\_ (date) the said Bank Book shall be returned to the obligor with all interest accrued thereon.

\* Negotiable securities can also be used. The Planning Board should check with the Town Counsel when a passbook or securities are offered as security to be certain that they are free from encumbrances.

# Amesbury

Town Hall, Amesbury, MA 01913

PLANNING BOARD

## FORM H TOWN OF AMESBURY COVENANT

Know all men by these presents that whereas the undersigned has submitted application dated \_\_\_\_\_, 20\_\_\_\_, to the Amesbury Planning Board for approval of a definitive plan of a certain subdivision entitled \_\_\_\_\_ and dated \_\_\_\_\_, 20 \_\_\_\_\_, and has requested the Board to approve such plan without requiring a performance bond.

NOW THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Amesbury Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar in hand paid, receipt whereof as hereby acknowledged, the undersigned covenants and agrees with the Town of Amesbury as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any building on any such lot until the ways and other improvements necessary to serve adequately such lot have been completely constructed and installed in the manner specified in the aforesaid application and in accordance with the covenants, conditions, agreements, terms and provisions thereof, and of the applicable Rules and Regulations of the Amesbury Planning Board which are hereby incorporated by reference.
2. The undersigned represents and covenants that undersigned if the owner in fee simple of all land included in the aforesaid subdivision and that there are no mortgages or encumbrances or record of otherwise on any of said land, except such as are noted below and subordinated to this contract, evidence of which subordination is attached hereto.
3. This agreement shall be binding upon the executors, administrators, heirs, successors, and assigns of the undersigned. It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land. It is understood and agreed that lots within the subdivision shall, respectively be released from the foregoing conditions upon the recording of a certificate of performance executed by a majority of said Planning Board an enumerating the specific lots to be so released.

IN WITNESS WHEREOF the undersigned hereunto set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Majority of the \_\_\_\_\_  
 Planning Board of \_\_\_\_\_  
 the Town of \_\_\_\_\_  
 Amesbury \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_ ss \_\_\_\_\_, 20\_\_\_\_\_

Then personally appeared \_\_\_\_\_, one of the above named members of the Planning Board of the Town of Amesbury, Massachusetts, acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_



# Amesbury

Town Hall, Amesbury, MA 01913

PLANNING BOARD

## FORM I TOWN OF AMESBURY RELEASE FORM

The undersigned, being a majority of the Planning Board of the Town of Amesbury, hereby certify that:

A. The requirements for the construction of ways and municipal services called for by the Performance Bond or Surety and dated \_\_\_\_\_, 20 \_\_\_\_, (and/or) by the Covenant dated \_\_\_\_\_, 20 \_\_\_\_, and recorded in the Districts Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, (or registered in \_\_\_\_\_ Land Registry District as Document No. \_\_\_\_\_ and noted on Certificate of Title No. \_\_\_\_\_ in Registration Book \_\_\_\_\_, Page \_\_\_\_\_) has been completed /partially completed, to the satisfaction of the Planning Board to adequately serve the enumerated lots shown on Plan entitled “ \_\_\_\_\_ ” recorded by the \_\_\_\_\_ Registry of Deeds, Plan Book \_\_\_\_\_, Plan \_\_\_\_\_, (or registered in said Land Registry District, Plan Book \_\_\_\_\_, Plan \_\_\_\_\_) and said lots are hereby released from the restrictions as to sale and building specified thereon.

Lots designated on said Plan as follows:

\_\_\_\_\_  
\_\_\_\_\_

B. The Town of Amesbury, a municipal corporation situated in the County of Essex, Commonwealth of Massachusetts, acting by its duly organized Planning Board, holder of a Performance Bond or Surety, dated \_\_\_\_\_, 20 \_\_\_\_, (and/or) a Covenant dated \_\_\_\_\_, 20 \_\_\_\_, from \_\_\_\_\_ of the (City/Town) of \_\_\_\_\_ County, Massachusetts recorded with the \_\_\_\_\_ District Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, (or registered in Land Registry District as Document No. \_\_\_\_\_ and noted on Certificate of Title No. \_\_\_\_\_ in Registration Book \_\_\_\_\_, Page \_\_\_\_\_) acknowledges satisfaction of the terms thereof and hereby releases its right, title and interest in the lots designated on said plan as follows:

\_\_\_\_\_  
\_\_\_\_\_

Executed as a sealed instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Majority of the \_\_\_\_\_  
Planning Board of \_\_\_\_\_  
the Town of \_\_\_\_\_  
Amesbury \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_ ss \_\_\_\_\_, 20\_\_\_\_\_

Then personally appeared \_\_\_\_\_, one of the above named members of the Planning Board of the Town of Amesbury, Massachusetts, acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_



# Amesbury

PLANNING BOARD

Town Hall, Amesbury, MA 01913

**FORM J**  
**TOWN OF AMESBURY**  
**CONVEYANCE OF EASEMENTS AND UTILITIES**

\_\_\_\_\_, of \_\_\_\_\_,  
\_\_\_\_\_ County, Massachusetts, for good and adequate consideration, grant to the Town of Amesbury, a municipal corporation in Essex County, Massachusetts, the perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain, water mains with any manholes, pipes, conduits, drainage easements, and other appurtenances thereto, and to do all acts incidental thereto, in through, and under the following described land: \_\_\_\_\_ appearing on a plan entitled \_\_\_\_\_. And, for the consideration aforesaid, the said grantor does hereby give, grant, transfer, and deliver unto the Town of Amesbury all water mains, manholes, pies, conduits, drainage easements, and all appurtenances there to that are now or hereafter constructed or installed in, through, or under the above described land by the grantor and the grantor's successors and assigns.

The grantor warrants that the aforesaid easements are free and clear of all liens or encumbrances, that he (it) has good title to transfer the same, and that he will defend the same against claims of all persons.

For grantor's title, see deed from \_\_\_\_\_ dated \_\_\_\_\_, 20 \_\_\_\_, and recorded in \_\_\_\_\_ District Registry of Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, or under Certificate of Title No. \_\_\_\_, registered in \_\_\_\_\_ District of the Land Court, Book \_\_\_\_\_, Page \_\_\_\_\_.

And (to be completed if a mortgage exists) (name) \_\_\_\_\_  
(address) \_\_\_\_\_  
the present holder of a mortgage on the above described land, which mortgage is dated \_\_\_\_\_, 20 \_\_\_\_, and recorded in said Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, for consideration paid, hereby releases unto the Town of Amesbury forever from the operation of said mortgage, the rights and easements hereinabove granted and assents thereto.

\_\_\_\_\_  
Authorized Signature of Mortgagor

\_\_\_\_\_  
Owner



IN WITNESS WHEREOF we have hereunto set our hands and seals this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_ ss \_\_\_\_\_, 20\_\_\_\_.

Then personally appeared the above named \_\_\_\_\_  
and acknowledged the foregoing to be \_\_\_\_\_ free act and deed, before me.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

# Amesbury

PLANNING BOARD

Town Hall, Amesbury, MA 01913

**FORM K  
TOWN OF AMESBURY  
PERFORMANCE SECURED BY LENDER'S AGREEMENT**

\_\_\_\_\_, 20 \_\_\_\_  
AGREEMENT made this date between the (city/town) of \_\_\_\_\_,  
\_\_\_\_\_, hereinafter referred to as "the applicant" of  
\_\_\_\_\_; and \_\_\_\_\_,  
hereinafter referred to as "the lender" of \_\_\_\_\_, to  
secure construction of ways and installation of municipal services in the subdivision of land  
shown on a plan entitled: \_\_\_\_\_, by  
\_\_\_\_\_, dated \_\_\_\_\_, owned by  
\_\_\_\_\_, \_\_\_\_\_ land located  
\_\_\_\_\_, and showing \_\_\_\_\_ proposed lots.

KNOW ALL MEN by these presents that the applicant has recorded a first mortgage with the  
lender dated \_\_\_\_\_, recorded in the \_\_\_\_\_ Registry of Deeds, Book \_\_\_\_\_,  
Page \_\_\_\_\_ covering \_\_\_\_\_ as shown on the above-referenced plan as  
security for the payment of a certain note in the principal sum of \_\_\_\_\_ dollars, and  
that the applicant and lender hereby bind and obligate themselves, their, or its executors,  
administrators, devisees, heirs, successors and assigns, jointly and severally to the (city/town) of  
\_\_\_\_\_, a Massachusetts municipal corporation, acting through its Planning Board  
in the sum of \_\_\_\_\_ dollars, and have secured this obligation by the lender retaining  
said sum of money of said principal sum otherwise due the applicant to insure the performance by  
the applicant of all covenants, conditions, agreements, terms and provisions contained in the  
following:

1. Application for Approval Definitive Plan (Form C) dated \_\_\_\_\_
2. The subdivision control law and the Planning Board's Rules and Regulations governing  
this subdivision and dated - \_\_\_\_\_
3. Conditions included in the Certificate of Approval issued by the Planning Board and dated  
\_\_\_\_\_.
4. The definitive plan as qualified by the Certificate of Approval; and
5. Other document(s) specifying construction or installation to be completed, namely;  
(specify other documents, if any, and list lots secured if only a part of the subdivision is secured  
by a lender's agreement)

\_\_\_\_\_  
\_\_\_\_\_  
This agreement shall remain in full force and effect until the applicant has fully and satisfactorily  
performed all obligations.

Upon completion by the applicant of obligations as specified in the following schedule:

Majority of the \_\_\_\_\_  
 Planning Board of \_\_\_\_\_  
 the Town of \_\_\_\_\_  
 Amesbury \_\_\_\_\_

\_\_\_\_\_, ss \_\_\_\_\_, 20 \_\_\_\_

Then personally appeared \_\_\_\_\_ one of the above-named members of the Planning Board of \_\_\_\_\_, Massachusetts, the applicant, and the authorized representative of the lender, and acknowledged the foregoing instrument to be the free act and deed of said parties before me.

\_\_\_\_\_  
 Notary Public

My commission expires \_\_\_\_\_

- Duplicate copy to:  
 Applicant  
 Lender  
 Planning Board  
 City/Town Clerk  
 City/Town Treasurer  
 City Council/Board of Selectmen



# Amesbury

Town Hall, Amesbury, MA 01913

PLANNING BOARD

## FORM L TOWN OF AMESBURY CONTROL FORM

Preliminary Plan Approval Date \_\_\_\_\_

Date of Definitive Plan \_\_\_\_\_

Submission Date (s) \_\_\_\_\_

Check: Received \_\_\_\_\_ Forms received \_\_\_\_\_ Plans received \_\_\_\_\_

Approval Deadline Date (S + 60 days) \_\_\_\_\_

Hearing Date (H) \_\_\_\_\_

Date of Letters to Abutters (H - 14 days) \_\_\_\_\_

Date of Newspaper Notices (2) (H - 14 days) \_\_\_\_\_

Approval or Disapproval Date (A) \_\_\_\_\_

Appeal Deadline Date (A + 20 days) \_\_\_\_\_

Date of Restrictive Agreement \_\_\_\_\_

Date Record Plans Endorsed \_\_\_\_\_

Date Plans and Restrictive Agreement Recorded \_\_\_\_\_

Book No. \_\_\_\_\_ Page No. \_\_\_\_\_

First Copy - Subdivider's File \_\_\_\_\_

Second Copy - Planning Board Clerk for Follow-up \_\_\_\_\_

Date Form L and set of definitive plans sent to the following (S + 10)

1. Board of Health
2. Highway Department
3. Fire Department
4. Water Department

Date that 2 report and recommendation of the definitive plans is returned from the following (s + 45 days = Deadline)

1. Board of Health
2. Highway Department
3. Fire Department
4. Water Department



PLANNING BOARD

# Amesbury

Town Hall, Amesbury, MA 01913

**FORM M**  
**TOWN OF AMESBURY, MASSACHUSETTS**  
**(SEAL)**

**LEGAL NOTICE OF PUBLIC HEARING**

\_\_\_\_\_ (Applicant), has submitted a definitive plan of proposed subdivision of land in Amesbury Massachusetts, a copy of which is on file with the Amesbury Town Clerk. The proposed subdivision is located at \_\_\_\_\_, as shown on plan by \_\_\_\_\_ (engineer of surveyor), dated \_\_\_\_\_, 20 \_\_\_\_\_. The Amesbury Planning Board will hold a public hearing on the proposed subdivision at the Town Hall on \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_ p.m., in accordance with the provisions of General Laws, Chapter 41, Section 81-T, as amended.

Planning Board \_\_\_\_\_  
Chairman \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# Amesbury

Town Hall, Amesbury, MA 01913

PLANNING BOARD

**FORM N  
TOWN OF AMESBURY  
RECEIPT FOR SUBDIVISION PLAN**

Town Clerk  
Amesbury , Massachusetts

Received from \_\_\_\_\_

a copy of a \_\_\_\_\_ Preliminary/ \_\_\_\_\_ Definitive Subdivision Plan

entitled \_\_\_\_\_

\_\_\_\_\_ application for approval for which has been made to the Amesbury Planning board

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date of Filing

# Amesbury

Town Hall, Amesbury, MA 01913

PLANNING BOARD

## FORM O TOWN OF AMESBURY INSPECTION FORM

Name of Subdivision \_\_\_\_\_ From Sta. \_\_\_\_\_ To Sta. \_\_\_\_\_  
 Name of Applicant \_\_\_\_\_ Phone of Applicant \_\_\_\_\_

|     | Subject                             | Responsible Agency                 | Initials of Agent | Date of Inspection |
|-----|-------------------------------------|------------------------------------|-------------------|--------------------|
| 1.  | Clearing of Right-of-Way            | Planning Board                     | _____             | _____              |
| 2.  | Sub-grade Preparation               | Planning Board                     | _____             | _____              |
| 3.  | Drainage (below-grade) Installation | Planning Board and DPW             | _____             | _____              |
| 4.  | Water Installation                  | Planning Board and DPW             | _____             | _____              |
| 5.  | Fire Alarm Installation             | Fire Department and Planning Board | _____             | _____              |
| 6.  | Grading of Lots                     | Planning Board                     | _____             | _____              |
| 7.  | Curb Installation                   | Planning Board                     | _____             | _____              |
| 8.  | Binder Course                       | Planning Board                     | _____             | _____              |
| 9.  | Finish Course                       | Planning Board                     | _____             | _____              |
| 10. | Sidewalk Construction               | Planning Board                     | _____             | _____              |
| 11. | Street Trees and Planting           | Planning Board                     | _____             | _____              |
| 12. | Grass Strips                        | Planning Board                     | _____             | _____              |
| 13. | Street Lights                       | Planning Board                     | _____             | _____              |
| 14. | Street Signs and Monuments          | Planning Board                     | _____             | _____              |
| 15. | Final Clean-up                      | Planning Board                     | _____             | _____              |

Responsible agency and Planning Board shall be notified in writing at least 48 hours before each required inspection as listed. No inspection may be waived except by joint approval of Planning Board and responsible agency.

Note: Inspections by the Planning Board may be delegated to a Planning Board Agent, at the discretion of the Board.



# Amesbury

Town Hall, Amesbury, MA 01913

PLANNING BOARD

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**FORM P  
TOWN OF AMESBURY  
CERTIFIED LIST OF ABUTTERS\***

\* Abutter shall include all owners of property within 300' of the proposed subdivision's boundary.

(Fill in this space with a rough sketch of land described in this petition and write against boundary lines the names and mailing address of adjoining owners in their relative positions. Include owners of land separated from the subdivision only by a street.

\_\_\_\_\_, 20 \_\_\_\_

Planning Board  
Amesbury Massachusetts

Members:

This is to certify that at the time of the last assessment for taxation made by the Town of Amesbury, the names and addresses of the parties assessed as adjoining owners to the parcel of land shown above were as above written, except as follows:

\_\_\_\_\_  
Assessor